

PHILIPPINE INDEPENDENCE

by

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PART I

INTRODUCTION

WITH the return of the American delegation from the London Naval Conference, the question of the Philippines is likely to confront the government at Washington shortly. On March 12 the Senate Committee on Insular Affairs suspended hearings on the subject of Philippine independence, and Senator Bingham of Connecticut, chairman, announced that the committee would make a report only after having conferred with Secretary of State Stimson and the Secretary of the Navy in regard to international aspects of the question. Meanwhile a large number of bills looking toward Philippine independence have been introduced into Congress. One bill (S.3108), introduced by Senator King of Utah on January 13, 1930, would authorize the Philippine Legislature to hold a constitutional convention to formulate a constitution for an independent government. Similar bills have been introduced into the House by Congressmen Dyer and Knutson (H.R. 5652 and 5182). On January 6, 1930 Senator Bingham introduced a resolution authorizing the President of the United States to call a conference in Manila in September 1930, including eight representative citizens of the United States and eight representative citizens of the Philippines, to deliberate and make recommendations as to the future of the Islands. On March 31, 1930 Senator Vandenberg of Michigan introduced a bill (S.3379) providing for complete independence at the end of ten years. A similar measure was introduced on March 5 by Senators Hawes of Michigan and Cutting of New Mexico (S.3822).

The last measure would authorize a Philippine constitutional convention to draft a constitution for a free and independent government of the Philippines. During a transitional period of five years, the United States would be given the right to control the foreign affairs of the Philippines, and,

if necessary, to intervene to maintain a stable government. In order to supervise the Philippine administration during this transitional period, the United States would maintain a commissioner in the Islands. During this transitional period, trade relations would be upon the following basis: during the first year no change would be made in the free trade régime, but during the second year the Philippines would levy upon imports from the United States 25 per cent of the duty levied on goods from other countries, while the United States would impose a similar duty on Philippine products. During the third year the proportion would be increased to 50 per cent, and in the fourth year to 75 per cent. During the fifth year full duties would be charged. Within six months of the fifth year a plebiscite would be held in regard to Philippine independence. If the Filipino people should vote in the affirmative, the United States would withdraw its jurisdiction over the Islands, subject to the acceptance of certain provisions in the Philippine Constitution, to be embodied in a permanent treaty with the United States. These provisions concern property rights and debts; they also would obligate the Philippine Islands to sell or lease to the United States lands necessary for naval stations.

Such are the various proposals now pending before Congress. What the Senate Committee on Insular Affairs will recommend is not publicly known. It is possible that the committee will report against any change in the present system; it is also possible that it will vote in favor of immediate independence, as in the King bill; or for independence within five years, as in the Hawes-Cutting bill; or for independence within ten years, as in the Vandenberg bill. It may adopt Senator Bingham's proposal for a commission of investigation, or it may recommend the ultimate admission of the Philippines as a state in the American Union.

FILIPINOS IN THE UNITED STATES

Events of a sensational character in California have recently caused the Philippine problem to enter upon a new phase. According to press reports, a mob at Watsonville on January 23, 1930, killed a Filipino lettuce-worker; and the next day two Filipinos were maltreated at San José, while on January 29 a Filipino clubhouse in Stockton was bombed. On the same day California barred Filipinos from boxing rings as a precaution against further racial demonstrations. Apparently these outbursts were caused by fear of competition from Filipino laborers entering the United States from Hawaii, and by the fact that white girls were being employed as entertainers in Filipino dance halls.¹

Filipinos responded to the California disturbances by celebrating a National Humiliation Day at Manila. The Philippine Commissioner at Washington, Mr. Guevara, moreover, declared that the only remedy for the condition was to grant the Philippines independence. He added that if similar mobbing of Americans had occurred in Manila, the American government would have sent "battleships and armies to meet the situation."²

At the present time Filipino laborers—not being aliens—may enter the United States from the Philippines and from Hawaii without any restriction. Although in 1922 only 339 Filipinos arrived in the United States, the number has steadily increased until the high point of 11,360 was reached in 1929. Detailed immigration figures are as follows:

FILIPINO IMMIGRATION TO THE UNITED STATES³

	<i>From the Philippine Islands</i>	<i>From Hawaii</i>	<i>Total</i>
1922	241	98	339
1923	457	937	1,394
1924	1,833	2,118	3,951
1925	1,352	835	2,187
1926	3,918	2,888	6,806
1927	6,793	2,254	9,047
1928	4,681	1,515	6,196
1929	8,689	2,654*	11,360
Grand Total			41,280

*And seventeen from other places.

1. *New York Times*, January 24, 30, 1930; *New York Herald Tribune*, January 25, 1930.

2. *New York Herald Tribune*, January 25, 1930. Since then several anti-American strikes and riots have occurred in the Philippines. (*New York Herald Tribune*, February 20, 1930; *New York Times*, March 16, 1930.)

3. For fiscal years ending June 30.

At present it is estimated that there are about 50,000 Filipinos in continental United States, in comparison with 110,000 Japanese. A Filipino Federation of America has been established which has 12,000 members in the United States and 10,000 in Hawaii.⁴ It is declared that Filipino emigration to the United States is due to a lack of opportunities in the Philippines, and to the advertisements of American shipping interests.⁵

LEGAL STATUS

It is possible that Filipinos may come to occupy the same position in the eyes of the Pacific Coast as have Chinese and Japanese laborers in the past. Several years ago American workers began to complain that Filipino immigrants were supplanting them as bell-hops, elevator boys, culinary trade workers and coastwise seamen on the Pacific Coast.⁶ In order to check this "invasion," the California State Legislature in May 1929 passed a resolution in favor of the restriction of Filipino immigration. The American Federation of Labor in 1927, 1928 and 1929 passed similar resolutions,⁷ as has the Seattle City Council. Several bills have recently been introduced into Congress providing in effect for Filipino exclusion.

Thus the Welch bill,⁸ introduced on January 16, 1930, provides that the term alien, under the immigration act, shall include "any individual not a native-born or naturalized citizen of the United States, but this definition shall not be held to include Indians of the United States not taxed, nor citizens of the islands (except the Philippine Islands) under the protection of the United States." The effect of the passage of this provision would be to exclude Filipino immigrants, since they belong to a race ineligible to American citizenship. It would also presumably bar them from acquiring land under the California alien land laws.

Already the status of the Filipino in the United States is inferior to that of the inhabitant of Porto Rico. All persons born in Porto Rico are *ipso facto* citizens of the

4. Cf. Dr. Moncada, "Independence for the Philippines," *Senate Hearings*, 71st Congress, 2nd Session, 1930, p. 328.

5. Speech of Hon. Camilo Osias, House of Representatives, January 29, 1930. (Washington, Government Printing Office, 1930.)

6. Cf. E. S. Bogardus, "The Filipino Immigrant Situation," *Pan Pacific Progress*, January 1930.

7. "Independence for the Philippines," *Senate Hearings*, cited, p. 115.

8. H.R.8708, 71st Congress, 2nd Session.

United States.⁹ But the same is not true of a Filipino born in the Philippines. He is simply a citizen of the Philippines. He is not, however, an alien as far as the United States immigration laws are concerned,¹⁰ and he enjoys the protection of the United States when abroad.

There is some doubt as to whether or not a Filipino may become an American citizen by naturalization. Before 1906 the laws of the United States restricted naturalization to aliens who were "free white" persons and to those of African origin. The naturalization law of 1906 declared, however, that persons "not citizens, who owe permanent allegiance to the United States" could also be naturalized.¹¹ It was assumed by some courts that this clause included Filipinos. Other courts, however, held that since Filipinos were not "free white" persons, they could not generally be naturalized. This view was sustained by the Supreme Court in 1924 in a case which concerned a Japanese.¹² As its view concerning Filipinos was only incidental to the decision of the case, and as the reasoning of the court is open to criticism, it is not impossible that this decision will be reversed in the future.

Since 1927 there has also been an organized movement to restrict the entrance of Philippine products, such as sugar, tobacco, hemp, copra and coconut oil, into the United States, on the ground that these articles, produced by cheap labor, unfairly compete with American products. When these proposals to restrict Philippine imports were rejected on the ground that they were unfair to an American territory, many of the groups interested in their adoption began

to advocate complete independence for the Philippines.¹⁴ For many years certain American business interests, for material reasons, have opposed Philippine independence, and it is only recently that groups such as the farm organizations have found it to their interest to support the other side. It is possible that liberal groups in the American Congress who have always believed in Philippine independence as a matter of principle, together with interested farm and labor organizations, may be strong enough to secure the passage of a Philippine independence bill during the present session of Congress.

While the movement within the United States against Filipino immigration and Filipino products has increased the possibility that the Philippines will be granted independence by the American Congress, it has also intensified the movement within the Philippine Islands for independence. As a result of this combination of circumstances, it seems that during 1930 the Philippine issue may be more acute than at any time since the famous Philippine insurrection.

This report will attempt to describe the general economic and social conditions in the Philippines, as well as the system of government; it will also present the arguments that are made for and against independence.

THE PHILIPPINES: DESCRIPTION AND HISTORY

The Philippines consist of a group of 11 large islands and over 7,000 smaller ones, lying 300 miles southeast of Asia and about 7,000 miles from the United States. They nearly touch North Borneo and are only 300 miles from Japan. Their total area is about 114,400 square miles—which is three times the area of the state of Ohio and one-half the area of insular Japan.

Several centuries ago Malay immigrants entered the Philippines and displaced the aboriginal population.¹⁵ Although the Fili-

9. Cf. Sec. 5, Jones act of March 2, 1917; also "The Problem of Porto Rico," F. P. A. *Information Service*, Vol. IV, No. 23, p. 433.

10. *Gonzales vs. Williams*, 1921, U. S., 1 (1903).

11. Sec. 30, Act of June 29, 1906. 34, U. S., p. 606.

12. *Toyota vs. the United States*, 268, U. S., 402 (1924). This case involved an act of 1918 which provided that any alien or native-born Filipino, having served in the navy of the United States for three years, might petition for naturalization without five years' residence. A Japanese claimed that this act entitled him to naturalization. The court ruled, however, that the act did not extend the privilege of naturalization to races previously barred, except in the case of Filipinos. It ruled that those Filipinos who had served in the navy might become citizens. The basis for this distinction between Japanese and Filipinos in the naval service is the following: "As Filipinos are not aliens and owe allegiance to the United States, there are strong reasons for relaxing as to them the restrictions—which do not exist in favor of aliens who are barred because of their color and race." It might be asked why these same reasons do not justify the naturalization of any Filipino, and not only those who served in the United States navy. In 1929, 27 Filipinos who had served in the United States navy at least three years were naturalized.

14. Cf. p. 72.

15. From about 200 to 1325 A.D., the Philippines were a dependency of various Hindu-Malayan empires in Indo-China, Sumatra, and Borneo. Racially the Filipinos are related to the people of Java and Siam, and dreamers look forward to the establishment of a Malay nation. With this idea in view, some Filipinos would like to see the emigration of Javanese to the Philippines. Mabini, a leader of the Philippine revolutionists (1899), declared that the mission of the revolution was "to maintain alive and resplendent in Oceania the torch of liberty and civilization, so that in illuminating the dark and gloomy night in which the Malayan race is submerged it may show to it the way to its social emancipation."

pinos are for the most part racially similar to one another they are divided into 43 ethnic groups and speak 87 different dialects, belonging in general to the Malay-Polynesian family. There are eight languages, each of which is spoken by at least half a million people. Tagalog is spoken by 1,800,000 people, or a larger number than those who speak English and those who speak Spanish combined.

The total population of these islands increased from 7,600,000 in 1903 to 10,300,000 in 1918, while at present it is estimated to be about 12,000,000. In 1918 the census recorded a foreign population of about 65,000, including about 8,000 Japanese, 6,000 Europeans (4,000 of these being Spaniards) and about 6,000 Americans. The largest foreign group, however, was that of the Chinese, which numbered about 45,000. Most of these, apparently, entered the Philippines before the American occupation when the Chinese exclusion laws of the United States were applied to the Philippines; but, according to the Governor-General, a large number of Chinese still enter the country illegally.¹⁶ Chinese merchants control about 60 per cent of the trade of the Islands.¹⁷

According to the 1918 census, about two-thirds of the people are Roman Catholic. An additional million and a half belong to an independent Philippine church, organized at the time of the 1899 insurrection by a Filipino, Gregorio Aglipay, formerly a Roman Catholic priest. There are also about half a million Moslems and half a million pagans in the Islands.¹⁸

In 1565 Spain established a colony in the Philippines and within a few years extended its control over the whole of the Islands. For three centuries the Philippines remained under Spanish rule.¹⁹ In the Wood-Forbes

report of 1921, the results of Spanish rule in the Philippines were briefly characterized as follows:

"Whatever may be said of Spain's methods (and too much is said without knowledge), the fact remains that she implanted the Christian religion and European ideas and methods of administration in these Islands and laid the foundations which have been of far-reaching value in our work here. From a number of warring tribes, Spain succeeded in welding the Philippine people into a fairly homogeneous group, sufficiently allied in blood and physical characteristics to be capable of becoming a people with distinctive and uniform characteristics."²⁰

OVERTHROW OF SPANISH REGIME

The Filipino people themselves, however, complained against Spanish rule, their chief criticisms being levelled at the Catholic friars whose power was extensive. Religious orders acquired vast estates; priests were in control of local government; many friars were accused of immoralities.²¹

The movement that culminated in temporary independence began as early as 1872. In 1896 organized fighting against Spain broke out under Don Emilio Aguinaldo. The Spanish authorities retaliated in December 1896 by executing Dr. José Rizal, who had headed the independence movement for some time and whose two books, *Noli Me Tangere* and *El Filibusteriano*, had had a wide influence.²² Peace was finally made in the so-called Pact of Biac-nabato, in 1897. Spain agreed to pay Aguinaldo 800,000 pesos as an indemnity to the leaders of the rebellion, to widows and orphans, and to those who had lost property during the disturbances.²³ The leaders promised to live in exile; and Aguinaldo went to live in Hongkong. Moreover, according to Aguinaldo, the Spanish government promised to expel the religious orders and to grant Filipinos participation in the government of the Islands. Later the Spanish authorities denied that they had promised to make these reforms.

16. *Report of Governor-General, 1927*, p. 12.

17. In 1921 the Philippine Legislature enacted a Chinese bookkeeping act requiring account books to be kept in English, Spanish or a local dialect. The Supreme Court of the United States ruled that this act was unconstitutional. It declared that a law "which deprives Chinese of something indispensable to the carrying on of their business, and is obviously intended chiefly to affect them as distinguished from the rest of the community, is a denial to them of the equal protection of the laws." *Yu Cong Eng. vs. Trinidad*, 271, U. S., 500 (1926). In 1928 Chinese merchants were accused of combining to force up the price of rice. Legislation was therefore introduced authorizing price fixing. (*Diario de Sesiones*, 1928, p. 866.)

18. Cf. p. 55. for the Aglipayan movement, cf. F. C. Laubach, *People of the Philippines*, Chap. IX.

19. Manila, however, was seized and ruled by the British during the Seven Years' War.

20. *Report of the Special Mission to the Philippine Islands*, 67th Congress, 2nd Session, House Document No. 326, (Washington, Government Printing Office), p. 14.

21. Cameron Forbes, *The Philippine Islands* (Boston, Houghton Mifflin Company, 1928), Vol. I, p. 50 ff.; cf. also *The People of the Philippines*, cited, Chs. VI, VII.

22. A secret society, called the *Katipunan*, was also active in the independence movement.

23. The sums, actually received by Aguinaldo, were deposited in a Hongkong bank and kept practically intact until a portion was used for the purchase of arms. (Forbes, *The Philippine Islands*, Vol. I, p. 60.)

ANNEXATION BY THE UNITED STATES

In April 1898, a few months after the Pact of Biac-na-bato was signed, war broke out between Spain and the United States over the question of Cuba's status. In this conflict Admiral Dewey destroyed the Spanish squadron in Manila Bay (May 1898) and American forces then occupied Manila. Spain was soon brought to terms, and in September President McKinley sent a commission to Paris to negotiate a peace treaty.²⁴ Although President McKinley in his original instructions asked only for the cession of the Island of Luzon to the United States, in the next month he expressed the view that the whole Philippine archipelago must be ceded.²⁵ Accordingly, on November 21, the American commissioners presented an ultimatum demanding cession of the entire archipelago in return for a payment of \$20,000,000 and a guarantee of the open door to Spain for a period of ten years. These terms were embodied in the treaty of peace signed on December 10, 1898.

Thus, although (subject to the Platt amendment) the United States recognized the independence of Cuba only a few miles from its own shores, it annexed the Philippines located 7,000 miles away. In 1898 Admiral Dewey declared: "In my opinion these people [the Filipinos] are far superior in their intelligence and more capable of self-government than the natives of Cuba, and I am familiar with both races."²⁶ Apparently the United States insisted on the annexation of the Philippines because of the belief that if left independent they would be seized by European powers or Japan, which had already shown aggressive designs against China. An independent Cuba, lying only a few miles away, on the other hand,

could easily be protected by the United States under the Platt amendment. Moreover, not everyone agreed with Admiral Dewey that the Filipinos were better prepared for self-government than the Cubans.

Following a bitter debate after the outbreak of hostilities between Filipino and American forces described below, the United States Senate passed a resolution explaining that by the ratification of the treaty of peace it was not intended to annex the Islands permanently, but to "prepare them for local self-government, and in due time to make such disposition of said islands as will best promote the interests of the citizens of the United States and the inhabitants of said islands."²⁷

THE PHILIPPINE INSURRECTION

At the time of the outbreak of the Spanish-American War, Aguinaldo, the Filipino leader, was in Singapore on his way to Europe. Here he had a secret conversation with Consul-General Pratt in which the latter apparently suggested that Aguinaldo cooperate with Admiral Dewey in taking Manila. Aguinaldo later claimed that Pratt had promised independence for the Philippines in return for his aid. This was denied; but Mr. Cameron Forbes, once Governor-General of the Philippines, states that there is no doubt "that General Aguinaldo hoped to establish his own government with the assistance of the United States."²⁸

Aguinaldo returned to the Philippines and began operations against Spain. In June 1898 he established a government which he asked foreign States to recognize. The Aguinaldo group, amid great popular enthusiasm, framed a republican constitution at Malolos, convened a congress, and appointed a cabinet. The United States, however, declined to recognize this government, or to allow a plebiscite on the question of the future of the Philippines, as had been requested in a Philippine memorial.²⁹ Meanwhile the situation in the Islands soon grew tense, and on February 4, 1899 an exchange of shots between outposts started a war which lasted about two years. Peace was

24. The preliminary peace terms (August 12, 1898) authorized the United States to hold Manila pending the conclusion of a treaty of peace which should determine the control, disposition and government of the Philippines. (J. B. Moore, *A Digest of International Law*, Washington, Government Printing Office, 1906, Vol. I, p. 526.)

25. His instructions in regard to the Philippines stated that "without any original thought of complete or even partial acquisition, the presence and success of our arms at Manila imposes upon us obligations which we cannot disregard. . . . Incidental to our tenure of the Philippines is the commercial opportunity to which American statesmanship cannot be indifferent. It is just to use every legitimate means for the enlargement of American trade; but we seek no advantages in the Orient which are not common to all. Asking only the open door for ourselves, we are ready to accord the open door to others." (Moore, cited, Vol. I, p. 527.) For the closed door established by the United States in the Philippines, cf. p. 48.

26. Forbes, cited, Vol. I, p. 86.

27. *Congressional Record*, February 14, 1899, p. 1846.

28. Forbes, cited, Vol. I, p. 83.

29. G. A. Malcolm and M. M. Kalaw, *Philippine Government* (New York, D. C. Heath & Company, 1923), p. 71.

finally restored in 1901, after 120,000 American troops had been sent to the Islands.³⁰ The Philippine insurrection resulted in the death of a total of 4,165 American officers and enlisted men, including those who were killed and those who died of wounds or dis-

ease.³¹ Reliable statistics on casualties among the Filipino forces are not available, but presumably they were much higher than among the American forces. The total cost of the insurrection to the American people was about \$175,000,000.³²

PART II

NON-POLITICAL ACHIEVEMENTS OF THE AMERICAN ADMINISTRATION

Between August 1898 and July 1901, the Philippines were ruled by a military governor from the United States. But since then the United States has maintained a civil administration in the Philippines. What have been its accomplishments?

PUBLIC ORDER

It was only in 1906 that American troops succeeded in suppressing the guerilla fighting that had started with the Philippine insurrection. Since then, except for recurrent disturbances in the Moro provinces, and occasional fanatical outbursts of non-Christian tribes elsewhere, order has been maintained. The number of American troops in the Islands has declined from 12,723 in 1904 to 4,946 in 1926.³³ In addition there are in the Islands today about 7,000 Philippine Scouts. These form part of the United States army and are supported by American funds, but are not subject to service outside the Philippines. In 1925 there were 29 Filipino officers (four of whom were majors) out of a total of 101 officers assigned to the Philippine Scouts.

The ordinary policing of the Islands is undertaken by the Philippine constabulary. In 1928 this force consisted of 6,132 men and 394 officers. Of the officers 365 were Filipinos and 29 Americans.³⁴ Between 1917 and 1927 the head of the constabulary was a Filipino-Spaniard, Brigadier-General Rafael Crame. Since his death the constabulary has been commanded by an American.

30. Forbes, cited, Vol. I, p. 109, 240. In April 1901 Aguinaldo took an oath of allegiance to the United States. In 1920 the Philippine Legislature voted him a life pension of \$6,000; he was a loyal supporter of Governor-General Wood.

31. Statement of Adjutant General, War Department, March 28, 1922.

32. Secretary of War, letter of June 19, 1902, Senate Document No. 416, 57th Congress, 1st Session, p. 2.

33. Forbes, cited, Vol. I, p. 192.

34. Report of Governor General of Philippines, 1927, p. 116. This is in contrast to the situation in 1910 when there were 262 American officers and 60 Filipinos. (Forbes, cited, Vol. I, p. 227.) In 1927 there were 770 enlisted men tried by summary court; 76 were dishonorably discharged. In addition to the constabulary there are municipal police forces.

It maintains an extensive patrol system, furnishes quarantine guards for animal diseases and other epidemics, carries on operations against the Moro rebels, and furnishes first aid in typhoons, floods and other catastrophes.

While the cost of the United States army, including that of the Philippine Scouts, is borne by the United States, the cost of the constabulary is borne by the Philippine treasury. This averages about 5,000,000 pesos a year, or 7.8 per cent of the 1930 budget.³⁵

HEALTH

When the Americans arrived in the Philippines, they found that pure water for drinking purposes was not available, and that even in the city of Manila no adequate provision for sanitation had been made. Smallpox was regarded as inevitable; cholera, beri-beri, malaria and other terrible diseases were widespread. There was not a modern hospital in the Islands.³⁶

The American authorities immediately started a health campaign which has made headway against many diseases during the last twenty-five years. Except for a period between 1914 and 1918, cholera, malaria, plague and smallpox have become virtually non-existent. In 1927, 37 government hospitals treated nearly 47,000 patients, while 1,036 dispensaries handled 994,000 cases.³⁷ Under the direction of a Public Welfare Commissioner, maternity and child welfare work is being carried on. In 1928, 819,000 mothers were aided at 184 puericulture centres.³⁸ Moreover, a notable leper colony has

35. The Haitian gendarmerie absorbs 15.69 per cent of the annual revenues. But the American military force in Haiti is much smaller than the corresponding force in the Philippines.

36. Worcester, *The Philippines, Past and Present*, cited, Chapter XVI.

37. Government of the Philippine Islands, *Statistical Bulletin*, 1928, p. 16. Altogether there are 78 hospitals in the Islands, with 6,124 beds.

38. *Eighth Annual Report of the Public Welfare Commissioner*, 1929, p. 7.

been established at Culion.³⁹ General progress in promoting sanitation has also been made. Sewer systems have been installed in Manila and Baguio; and there has been a large increase in the number of water systems established during the last ten years. A school of public hygiene has been established in the University of the Philippines for the training of public sanitation officers. And increased attention to the teaching of public health in the primary schools is being given. It is claimed that as a result of these various measures the death rate has declined materially during the American occupation, but the actual rate of decline it is difficult to determine. The early statistics necessary for a basis of comparison are not generally regarded as wholly reliable.⁴⁰

While progress has been made in promoting public health, much remains to be done. Although the Philippines are kept practically free of quarantine diseases, other preventable diseases still cause a large number of deaths. Thus dysentery took a toll of about 9,300 in 1926 and about 5,800 in 1927; influenza, 6,200 in 1926 and 6,000 in 1927; tuberculosis, about 30,000 in 1926 and 25,000 in 1927; malaria, 24,000 in 1926 and 17,000 in 1927; beri-beri, 19,200 in 1926 and 19,500 in 1927. It is also believed that between 70 and 90 per cent of the laboring population suffers from intestinal parasites.

Acting Governor-General Gilmore summarized the difficulties in the health situation in 1927 when he said:

"The problem of improving public health conditions still remains one of the most difficult tasks which confronts the government. There are still too few doctors and nurses; there are large areas without drug stores; many people are still uninformed with respect to the importance of public health and indifferent toward sanitary matters; local officials are too often ignorant as to the importance of sanitary regulations and indifferent to carrying them out. . . . The real solution lies along the lines of effective health education. . . ."⁴¹

The need of an improved diet is also frequently stressed. Moreover, complaints have been made that the Philippine Legislature is niggardly in its health appropriations.⁴² Appropriations for public health average about 4,000,000 pesos a year, or about 8.9 per cent of total expenditures in 1930.⁴³

EDUCATION

One of the most important features of the American administration has been its educational work. During the occupation the number of pupils in the schools has increased from 227,600 in 1904 to 1,111,500 in 1928. At present there are about 26,500 school teachers in the Islands, of which 293 are still American.⁴⁴ In 1930, 28 per cent of the total budget was devoted to education; this is in contrast to an expenditure of 4 or 5 per cent in the possessions of many other colonial powers.⁴⁵ How much greater the emphasis on education has been in the Philippines than in other Far Eastern territories may be seen from the following table:

SCHOOL POPULATION: FAR EASTERN DEPENDENCIES

Territory	Total Population	Number of Children in School	Percentage
Philippines	12,000,000	1,111,500	9.26
Dutch East Indies*	50,000,000	1,500,000	3.0
Korea**	19,000,000	515,000	2.7
French Indo-China*	20,000,000	200,000	1.0

*French and Dutch figures from G. Argoultant, *Les Indes Néerlandaises*, Vol. I, p. 312.

***Japan Year Book*, 1929, p. 677.

39. Cf. "Leprosy in the Philippine Islands," *Joint Hearings*, 69th Congress, 2nd Session, 1927.

40. According to one set of figures, the death rate declined from 26.79 per thousand in 1908 to 22.54 in 1927. (*Statistical Bulletin*, 1928, p. 18; Philippine census, 1918, Vol. II, p. 972.) The infant mortality rate is said to have declined from 811.34 per thousand births in 1904 to 152 per thousand in 1927. (The 1904 figure, however, is for Manila; while the 1927 figure is for the Philippines as a whole. Forbes, cited, Vol. I, p. 361; *Statistical Bulletin*, 1928, p. 18.)

41. *Report of Governor-General of Philippine Islands, 1927*, p. 91.

42. *Ibid.*, p. 133. For the alleged deterioration of the health service during Governor-General Harrison's administration, cf. p. 65. Per capita expenditures for health are 0.43 centavos in comparison with 2.12 for education.

43. Exclusive of appropriations for other health activities, such as the quarantine service, the Philippine General Hospital, etc.

44. The proportion of American teachers has decreased from 21 per cent in 1903 to about one per cent at the present time. In the secondary schools there are 192 American teachers. (Cf. *Twenty-Ninth Annual Report of the Director of Education*, 1928, p. 113, 136; *A Survey of the Educational System of the Philippine Islands, 1925*, Manila, Government Printing Office, p. 6, 17.)

45. In American-controlled Haiti, 10.32 per cent of the total expenditures goes to education; in Porto Rico in 1927-1928 the percentage was 28.18 per cent. For the percentage in African colonies, cf. R. L. Buell, *The Native Problem in Africa*, Vol. II, p. 980.

As a result of this educational effort in the Philippines the rate of literacy has increased from 44.2 per cent in 1903 to 49.2 per cent in 1918.⁴⁶ Filipinos assert that if those who can read and write native dialects were included, the rate of literacy would be 60 per cent. Nevertheless, it is estimated that only 35 per cent of the children of school age now attend school.⁴⁷

At the request of the Philippine Legislature, an American Educational Survey Commission, the chairman of which was Professor Paul Monroe, made a report in 1925 upon the educational system in the Philippines.

"For almost a generation," this report stated, "a school system patterned on the American plan and using English as its medium of instruction has been in operation. Through this system a Malay people which for more than three centuries lived under Spanish rule has been introduced to Anglo-Saxon institutions and civilization. Through this system an effort has been made to give a common language to more than ten millions of people, divided by the barriers of dialect into numerous non-communicating groups. Through this system teachers have sought to bring to the Orient the products of modern scientific thought. Through this system both American and Filipino educational leaders have hoped to prepare a whole people for self-government and for bearing the responsibilities of effective citizenship."⁴⁸

In certain respects the commission found that results have not been successful. The medium of instruction in the schools has been English, and especially during the first few years the hours of instruction are occupied with the study of that language. On the average, Filipino pupils remain in school less than three years. After leaving school not one per cent of them speak English in their homes; and probably not more than 10 or 15 per cent use it in their occupations. As a result, the smattering of English acquired in three years at school soon disappears.⁴⁹ At present not more than a million Filipinos have a knowledge of English—or one out of every twelve.

Despite these criticisms, the commission recommended that from the beginning Eng-

lish should be continued as the language of instruction, but urged that methods of instruction should be improved. While there was no intention of replacing the dialects, a language for common intercourse was needed, and the commission believed that this common language should be English rather than Spanish, not only because the former was the language of the United States but also because it was the secondary language of the Orient.⁵⁰

There are some observers who feel, however, that it is a mistake to use English during the first three school years. They believe that while English should be taught as a subject, the language of instruction in the elementary years should be Tagalog, or some other widely spoken dialect, depending on the district. Instead of placing emphasis on a foreign language during this earlier period, the emphasis should be placed on subjects of value to the pupils in their daily village life. English, they believe, should be used as a medium of instruction only after the third year.⁵¹

The Philippine public school system has made provision for agricultural and industrial training, but the American educational commission found that many students were not interested in such opportunities and that a far larger class of students having a purely academic training was being produced than could be absorbed. It found, moreover, that the textbooks were thoroughly American, rather than Filipino. The whole course of study, it stated, "reflects American culture." It also declared that the standard of teaching was defective.⁵²

50. In 1917 the Legislature passed an act to the effect that the English text was to govern in the interpretation of a law officially promulgated in English and Spanish. In 1901 the government enacted a law providing that after 1906 the English language should be the language of the courts. In 1919 this date was postponed until 1930, while in 1928 another act declared that Spanish might continue as an official language until 1940. (*Official Gazette*, No. 3504, January 31, 1929.) By far the larger part of the debates in the Philippine Legislature are still carried on in Spanish.

51. A recent writer states that "nationalist teachers persist in the surreptitious use of Tagalog in the explanations of their class room work and in their informal conversations with pupils." M. L. Darrach, "Weird 'Bamboo English' Flowers in Philippines," *New York Times*, February 9, 1930. Filipinos assert that this practice is forbidden and does not take place. The Monroe commission declared that "any action upon the suggestion made by a society founded for the purpose of making Tagalog the national language is clearly beyond the province of the Board." *A Survey of the Educational System*, cited, p. 27. A committee of the Philippine Medical Association recommended the adoption of Tagalog as the national language, but the report was rejected on the ground that the existence of more than one national language was not a bar to independence. (*The Tribune*, Manila, December 21, 1929.)

52. "If the high schools are to meet the actual needs of the Philippine people and the normal development of the islands,

46. Philippine census, Vol. II, p. 53, 54, 58.

47. *Report of the Governor-General, 1927*, p. 135.

48. *A Survey of the Educational System of the Philippine Islands, 1925*, cited, p. 11.

49. *Ibid.*, p. 133 ff. In the 1918 census it was found that 896,258 could speak English, while 757,463 spoke Spanish. The number who could read and write Spanish declined from 1,002,558 in 1903 to 664,822 in 1918.

Finally, the Philippine educational system has been criticized on the ground that it is influenced by politics. The Monroe commission declared that "the appointment, tenure, and advancement of every division superintendent of schools and practically every high-school principal in the system, is really subject to political control." The Legislature, according to the commission, has placed the selection of textbooks in the hands of a board controlled by politicians; it has also been ungenerous in its appropriations for the Bureau of Education.⁵³

The Monroe commission recommended an increase in taxation for educational purposes, more adequate inspection, more thorough preparation of teachers, the concentration of American teachers in the normal schools, and a continuous and scientific revision of the curriculum, emphasizing a practical type of instruction that would benefit the actual lives of the people.

The Monroe report was thoroughly analyzed by a joint legislative committee,⁵⁴

which objected strongly to some of the observations of the Monroe report, although it accepted many of its recommendations. Moreover, a convention of division superintendents, American and Filipino, criticized statements attributed to members of the Monroe commission "as a campaign which has no precedent in the annals of contemporary pedagogy and which violates the most elementary principles of professional ethics; a campaign of vicious propaganda which under the veil of professional freedom of expression exposes the Philippine school, its pupils, its teachers, and its administrators to the ridicule of American and European educational circles. . . ."

In 1928 the Director of Education reported that there was an awakening interest in the study and practice of better English, that the courses of studies were being reconstructed, and that the standard of instruction had improved.⁵⁵

PART III

ECONOMIC DEVELOPMENT UNDER AMERICAN RULE

Believing that the establishment of communications is essential to economic development, the American administration has aimed to improve water transportation so as to connect the islands with one another; it has also established a large number of lighthouses, and constructed a large number of roads. The mileage of first-class roads has increased from 305 in 1907 to about 3,955 at the present time.⁵⁶ Moreover, a conservation system designed to protect the vast forest resources of the Philippines has been established. Sixteen government irrigation systems have been put in operation, and 164 municipal and provincial water-supply systems have been created which, excluding Manila, serve drinking water to more than half a million people.⁵⁷ Likewise postal, telegraph and savings bank systems have been installed.

A department of agriculture and natural resources attempts to promote agricultural development by carrying on experiments, by maintaining a system of extension agents and rural credit associations, and by conducting other activities. In certain respects, these efforts have been criticized on the ground that they have not achieved the desired end. Thus Governor-General Stimson states that in "the character and capacity of vessels," and the "safety and adequacy of service," the inter-island shipping is "far behind the requirements of the Islands and constitutes a most serious handicap to their development."⁵⁸ Likewise the work of the rural credit associations has been criticized.⁵⁹

The Philippines are primarily an agricultural country. More than 72 per cent of total production takes the form of agricultural products. The remainder consists of lumber, metals, and manufactures. The leading product is rice—a chief food staple.⁶⁰

there must be provided adequate training facilities for leaders in agriculture, industry, and commerce. In no other way can such leadership be kept in the hands of the Filipino people themselves." *A Survey of the Educational System*, cited, p. 36.

53. *Ibid.*, p. 524.

54. Joint Legislative Committee, *Report on Education by the Joint Educational Committee of the Philippine Legislature*, 1926, Manila.

55. *Twenty-Ninth Annual Report of the Director of Education*, 1928, p. 4.

56. Forbes, cited, Vol. I, p. 383; cf. also Worcester, *The Philippines, Past and Present*, cited, Chapter XXXV; *Statistical Bulletin of the Philippines*, 1928, p. 178.

57. *Report of the Governor-General*, 1927, p. 279.

58. Governor-General Stimson received the promise of the Dollar Steamship Company to place in operation two first-class modern steamships.

59. Cf. S. P. Duggan, "The Future of the Philippines," *Foreign Affairs*, October 1926, p. 121. It is stated that the rural credit associations are opposed by the Philippine *caciques*, or landowners, who now profit from usurious interest rates. Cf. p. 52.

60. It is also necessary to import rice.

Sugar, manila hemp and copra are other important products. The principal manufactures are cigars and cigarettes, followed by embroideries and hats. The total annual value of commercial production in the Philippines is put at about \$2,000,000,000.⁶¹

FOREIGN TRADE

One indication of economic progress in the Philippines under American rule will be found in an examination of foreign trade figures. The increase of foreign trade may be seen from the following table:⁶²

VALUE OF FOREIGN TRADE (In dollars)		
	Imports	Exports
1901-1905	31,389,000	29,635,000
1906-1910	33,369,000	34,779,000
1911-1915	51,681,000	50,007,000
1916-1920	95,594,000	111,996,000
1921-1925	102,256,000	117,735,000
1926	119,299,000	136,844,000
1927	115,851,000	155,574,000
1928	134,657,000	155,055,000

Ever since 1915 there has been an excess of exports over imports. While in 1913 hemp was the leading export of the Islands, sugar has now forged ahead to first place. The increase in the share of the United States in this trade, caused in part by the tariff policy discussed below, is shown in the following table:⁶³

Period	Average percentage of imports from United States to total imports	Average percentage of exports to the United States to total exports	Average percentage of total trade with United States to total external trade of Philippine Islands
1899-1904 incl.....	11.3	29.5	20.0
1905-1909 "	18.2	37.0	28.0
1910-1914 "	43.6	42.2	43.0
1915-1919 "	56.8	55.4	56.2
1920-1924 "	59.8	67.2	64.0
1925-1928 "	60.5	74.0	67.75

Although in 1913 the Philippines imported from the United States more than they exported to it, at present the Philippines sell more to us than they buy from us in return.

In 1900 about 55 per cent of Philippine exports went to Europe, 26 per cent to Asia, and 13 per cent to the United States. At the present time, however, about 75 per

cent of Philippine exports go to the United States.

China's share in the Philippine trade has declined from 15 per cent in 1901 to 3.47 per cent in 1928.⁶⁴ But, despite the present tariff régime, Japan has made progress in the Philippine trade. In 1908 only .03 per cent of the Philippine trade was with Japan; but in 1928 this had increased to 6.68 per cent.

The leading articles in Philippine overseas trade in 1928 were as follows:

EXPORTS	
Sugar	\$47,500,000
Manila Hemp	26,600,000
Coconut Oil	23,500,000
Copra	22,500,000
Tobacco and Cigars	16,400,000
Hats	6,600,000
Embroideries	4,400,000
IMPORTS	
Cotton and Cloth	\$48,000,000
Foodstuffs	27,000,000
Machinery	22,000,000
Petroleum and Coal	20,000,000
Iron and Steel	11,500,000
Vehicles	11,000,000

Another sign of economic progress is found in the increase of the number of depositors in the postal savings banks from 2,331 in 1907 to 289,145 in 1928. The amount due to depositors at the close of the year increased from \$255,000 in 1907 to \$8,100,000 in 1928.⁶⁵

FINANCES

Government revenue also increased from \$10,450,000 in 1906 to \$38,800,000 (estimated) in 1930.⁶⁶ This latter figure is slightly less than the average annual income (\$39,500,000) between 1924 and 1928. In this period there has been an annual excess of income over expenditures of more than \$1,000,000.

The American Congress has provided that the indebtedness of the Philippine government shall not exceed 10 per cent of the

61. L. P. Hammond, *A Survey of Economic Conditions in the Philippine Islands*, (Manila, Bureau of Printing, 1928), Exhibit I, p. 87.

62. *Commerce Year Book, 1929*, Vol. I, p. 695.

63. "Extension of Coastwise Shipping Laws of the United States to the Philippine Islands," *Senate Hearings*, 71st Congress, 1st Session, October 1929, p. 51.

64. "Independence for the Philippine Islands," *Senate Hearings*, 1930, p. 42; C. Benitez, "The Position of the Philippines," *Pacific Affairs*, January 1930, p. 89.

65. Early figures are from Forbes, cited, Vol. II, p. 462; current figures from *Statistical Bulletin of the Philippine Islands*, 1928, p. 218.

66. Certain additional funds are also raised by the provincial and municipal governments. About 75 per cent of the government income is derived from taxation; 23.4 per cent of the total comes from import duties; 24.5 per cent from license and business taxes; and 18.8 per cent from an excise tax. The remainder comes from certain commercial enterprises.

aggregate value of taxable real estate—a percentage which in 1928 represented about \$86,000,000. The present net indebtedness of the insular and local governments, however, is only \$58,400,000.⁶⁷ The greater part of this debt was contracted in connection with the construction of public works. Philippine bonds are exempt from taxation, both in the Philippines and in the United States. Although these bonds are not guaranteed by Congress, they are regarded as a “moral obligation” of the United States.⁶⁸ Consequently Philippine bonds have been issued at a rate which has averaged a little above 4 per cent. This rate is much lower than that which certain independent governments are obliged to pay on the New York market.

About 12.5 per cent of the total expenditure of the Philippine government goes to the public debt in comparison with 26.06 per cent in Haiti.

Although the Philippine budget has balanced during the last few years, Governor-General Davis declares that “Government revenues are practically stationary, while the needs and proper demands are steadily expanding. . . . A steady increase in the wealth of the people, which in turn will steadily increase the revenues of the Government, is essential.”⁶⁹

LOW STANDARD OF LIVING

Despite the growth in foreign trade and other signs of economic progress, a number of Filipinos declare that living conditions of the Filipinos have improved but little under the American occupation. Sr. Manuel Roxas recently said that the purchasing power of the Philippine people at the present time is “barely equal” to what it was under the Spanish régime. “Anybody intimately acquainted with the life of a Filipino laborer knows that if he is to depend exclusively on his earnings to support himself and his family, his difficulties are greater today than they were thirty years ago.” He blames these conditions upon failure to build up an

economic organization and also upon the régime of free trade.⁷⁰

Señor Rafael Palma, president of the University of the Philippines, declares that “very few of our people are moneyed people; the great rank and file of our citizens lead a life of abject poverty, of penury that inspires pity and commiseration. They do not have more than is necessary to supply their daily needs, the morrow is ever to them a question mark and a constant worry. To see people under-nourished and poorly clad is a common sight in our barrios. Whoever would judge and grade our civilization on the social level of our peasants and laborers would form an idea not altogether complimentary to our people.”⁷¹ Governors-General Stimson and Davis have both declared that the Islands are backward from the economic standpoint.

According to an investigation of the Philippine Bureau of Labor in 1925, the cost of actual necessities for a family of two adults and three minors amounts (outside of Manila) to 91 cents a day. But the average wage in the Philippines is only 37 cents a day; and so if both adults in the family work the total income would be only about 75 cents—which is considerably less than the budget.⁷²

Although the population density of the Philippines is only about 90 per square mile, which is much less than the density of population in Japan or China, there has been a considerable emigration of laborers from the Islands to Hawaii—an indication that economic development in the Philippines is inadequate for the needs of the people. In 1906 the Hawaii sugar planters entered into

70. M. Roxas, “Good Occidentals—Poor Orientals,” *The Independent* (Manila), November 23, 1929. Señor Roxas is speaker of the Philippine House of Representatives.

71. Quoted in *Message of the Governor-General to the Eighth Philippine Legislature, 1929*, p. 8.

72. “Labor Conditions in the Philippines,” U. S. Department of Labor, *Monthly Labor Review*, November 1927, p. 54. This article states (p. 53) that, “since the American occupation, the general tendency has been to demand the highest wages obtainable, as a result of the constant advance in the cost of the prime necessities and the reduced purchasing power of money. The standard of living and the wage scale in the Philippines is now so high, compared with other parts of the Far East, that several industries, otherwise practicable, cannot be made profitable in competition with similar industries in near-by countries, because of the greater labor costs in the Islands.”

For the under-nourished condition of the population of Porto Rico, another American territory, cf. “The Problem of Porto Rico,” F. P. A. *Information Service*, Vol. IV, No. 23, p. 451. Sr. Oslas states, however, that in the Philippines “nobody dies of hunger. My travel in different countries has convinced me that the misery observed in other lands has not shown its sinister head in our land.” (*Diario de Sesiones, 1928*, p. 32.)

67. The total debt as of June 30, 1929 was \$75,400,000. From this sum should be deducted about \$17,000,000 accumulated in government sinking funds.

68. Forbes, cited, Vol. I, p. 270.

69. Inaugural Address, July 8, 1929, p. 6.

an agreement with the Philippine government making possible Filipino emigration under certain safeguards. It was provided, for instance, that part of the wage should be deducted monthly and used to defray the cost of passage home. The Philippine government could maintain a supervisor of labor in the Hawaiian Islands.⁷³ This emigration has frequently caused concern to Filipino leaders.

CAUSES OF ECONOMIC BACKWARDNESS

Among the causes for the alleged backwardness of the Philippines are said to be first, the present tariff system which, while it gives them a privileged position in the distant American market, prevents the Islands from developing reciprocal trading privileges with their neighbors; and second, the reluctance of foreign capital to enter the Islands. This reluctance is said to be due to: (1) restrictive land and corporation laws, and (2) the uncertain political status of the Philippines.

Despite assertions as to the economic backwardness of the Philippines, statistics show that per capita imports and exports in these Islands are higher than in the Dutch East Indies, and in French Indo-China.⁷⁴

An important factor in the economic development of the Philippines has been the tariff policy of the United States.⁷⁵ The act of August 5, 1909 admitted Philippine products (with the exception of rice) into the United States free of duty; the free importation of sugar, however, was limited to 300,000 tons annually, while a similar limitation was placed upon the importation of tobacco products. The tariff act of 1913 removed all of these limitations. American products, moreover, enter the Philippines free of duty. Free trade was established

between the United States and the Philippines in spite of a resolution of the Philippine Assembly in 1909 condemning the policy on the ground that it would lead to a reduction in revenue and would militate against Philippine independence.⁷⁶ Although free trade thus exists between the Philippines and the United States, the American Congress has established a tariff of about 20 per cent upon foreign imports entering the Philippines.

In February 1928 Congressman Timberlake introduced a bill which proposed to modify this free trade régime to the extent of limiting to 500,000 tons a year the amount of sugar that might enter the United States free of duty.⁷⁷ Various farm organizations advocated the restriction of other duty-free products, such as copra, coconut oil and hemp, on the ground that they compete with products of American farmers, especially cottonseed growers and butter-producers.⁷⁸ With the failure of these measures, many farm organizations declared for Philippine independence, in order to secure the same end.⁷⁹

ADVANTAGES OF "FREE TRADE"

The existing tariff régime has been praised by a number of American observers. They declare that under this régime Filipinos enjoy unrestricted access to the markets of a country having the largest purchasing power in the world; that despite the distance of this market from the Philippines, it is actually worth much more than any market in Japan and China which might theoretically be built up under a different

76. Forbes, cited, Vol. II, p. 158.

77. "Sugar and the Tariff," F. P. A. *Information Service*, Vol. IV, p. 108. The Philippine Legislature passed a resolution on November 5, 1928 protesting against the imposition of restrictions under the Timberlake resolution, as long as the Philippines remained under the United States. (*Official Gazette*, February 16, 1929.)

78. Cf. "Independence for the Philippine Islands," *Senate Hearings*, 71st Congress, 2nd Session. Coconut oil is used in the preparation of margarine, which competes with butter. Nevertheless, margarine now sells for 17 cents a pound, in comparison with 37½ cents a pound for butter, and it is argued that even the imposition of an excessive duty on coconut oil would not increase the cost of margarine to a point where it equals that of butter. Likewise it is contended that American cottonseed oil, because of its special qualities, is now consumed in the production of vegetable lard or cooking oils, in comparison with Philippine coconut oil, which is used for butter and margarine. It is also stated that the chemical composition of Philippine coconut oil makes it indispensable for the manufacture of American soap. (*Ibid.*, p. 162. Brief of Spencer, Kellogg & Sons.)

79. Another proposal aimed against Filipino products, placed before the Senate in October 1929 by Senator Vandenberg, was that the Commerce Committee should investigate whether the coastwise shipping laws of the United States should be extended to the Philippines pending their achievement of independence. The merchant marine act of 1920 authorized the President to

73. Forbes, cited, Vol. I, p. 520; *Statistical Bulletin*, 1928, p. 73. Up to 1927 about 78,000 Filipinos had emigrated to Hawaii. Between 1923 and 1928, 39,000 such emigrants went to Hawaii, but about 17,000 returned. About 70 per cent of the laborers on Hawaiian plantations are Filipinos. For emigration from Hawaii to the continental United States, cf. p. 38.

74. Per capita imports of the Philippines in 1928 were \$11.3; of the Dutch East Indies, \$7.4; of Indo-China, \$6.; in British Malaya, however, they were \$126.4. Per capita exports of the Philippines were \$13; of the Dutch East Indies, \$12.1; of Indo-China, \$5.5. Per capita exports of British Malaya were \$123.4 (*Commerce Year Book*, 1929, Part II, p. 773.)

75. Congress may legally impose a tariff upon Philippine products because, as the Supreme Court ruled in 1901, the Philippines are not incorporated into the United States. (*Downes vs. Bidwell*, 182 U. S. 244.) The United States was bound by the Treaty of Paris to give Spain until 1909 the same rights in the Philippine markets as the United States enjoyed.

tariff régime. They declare that before the establishment of free trade in 1909 there was little progress in the overseas trade of the Philippines; but because of the new tariff régime, this trade grew rapidly. Mr. Cameron Forbes states that "the result of this enlightened measure exceeded even the fondest hopes of the most sanguine of its supporters. Trade between the Islands and the States increased by leaps and bounds."⁸⁰

One reason why certain American merchants support the present régime is because it tends to give them a monopoly of the Philippine market. Likewise, those who are opposed to independence for the Philippines favor the present system, since it tends to make the Islands economically dependent upon the United States, thus increasing the difficulty of establishing political independence.

When measures were proposed in Congress to impose tariff restrictions upon Philippine imports into the United States in 1927-1929,⁸¹ they were vigorously opposed by former Governor-General Stimson, and also by Filipino representatives. Mr. Stimson declared, "The American Flag stands today not only for individual freedom but for freedom of trade for all people under the flag." He later said:

"Once it is known that the basis underlying their entire economic system is in danger and can be broken successfully by the efforts of protected industries in the United States the harm is done, and the people of the Islands have lost their confidence in the people of America. . . .

"In this connection it must be remembered that the present standard of living throughout the Philippine Islands rests almost entirely upon the American market. The standard of living of the Filipino laborer is at least 300 per cent higher than that of his neighbor in China. It is much higher than that of any similar laborer in the other surrounding countries like Java or Singa-

pore. Thirty years ago we offered the Filipino occidental civilization and he accepted it. We have given him western education, western schools, western improved roads and other western physical advantages, and he has come to have a western outlook. This accounts for the sense of betrayal and wrong which is now produced by an attempt to take away the foundation to which we ourselves have led him."⁸²

Likewise Filipino leaders oppose any tariff restrictions on the ground that as long as American goods enter the Philippines freely, restrictions upon Philippine goods entering the United States would be unjust. They deny, however, that their desire to retain free trade means that they have surrendered their goal of independence. They simply do not wish to be discriminated against as long as they remain under the American flag.⁸³

ARGUMENTS AGAINST TARIFF REGIME

While Filipino leaders and many Americans thus support the present free-trade régime, it has been subjected to three main criticisms. The first is that tariff duties on non-American imports into the Islands have been fixed so as to exploit the Filipino people for the benefit of American manufacturers. Before 1909 half of the flour consumed in the Philippines came from Australia; but today it comes—and probably at a higher price—from the United States.⁸⁴ American shoes, dairy products, cigarettes, textile goods, agricultural machinery and automobiles enter the Philippine market free of duty, while protective duties exclude such products entering from foreign countries, although none of them are produced in the Philippines. At the protest of American tobacco interests, the Philippine Legislature increased the tariff duty on tobacco wrappers for its cigars, which had formerly come from Sumatra. As a result of this increase, the Filipinos now purchase such wrappers, at a higher price, from Connecticut. Another

extend such laws to the Philippines, but although recommendation to this effect was made by the Shipping Board in 1922, the President declined to act. In hearings in 1929 the proposal was supported on the ground that it would help American shipping and that by increasing transportation costs of Philippine products, it would diminish competition with American products. But the measure was opposed by others on the ground that it would injure American trade in the Orient and lead to retaliation. Filipinos opposed the measure on the ground that it would stifle the Philippines. (Cf. "Extension of the Coastwise Shipping Laws of the United States to the Philippine Islands," *Senate Hearings*, 71st Congress, 1st Session, October 1929.) The percentage of the Philippine external trade carried in American vessels has increased from 45.7 per cent in 1922 to 55.2 per cent in 1928. (*Ibid.*, p. 57.)

80. Forbes, cited, Vol. I, p. 250. For the trade increases and for the proportion of this trade enjoyed by the United States, cf. p. 46.

81. For the Timberlake resolution, etc., cf. "Sugar and the Tariff," F. P. A. *Information Service*, cited, p. 109.

82. *Tariff Readjustment, 1929*, p. 10,639. As to the condition of the Filipino worker, cf. p. 47.

83. Following the publication of an editorial in the *New York Herald Tribune* to the effect that the Filipinos had changed their stand on independence owing to threatened tariff legislation, the president of the Senate in the Philippines wired, "We are not opposed to the imposition of a tariff on our products. On the contrary, we are in favor of it if together with such imposition we are granted independence, the tariff to take effect simultaneously with the inauguration of the Philippine Republic. We are opposed to the imposition of the tariff only so long as the United States retains the Philippines." (Cf. *Pacific Affairs*, January 1930, p. 78.)

84. *Colonial Tariff Policies*, p. 598; *Hearings, Tariff Act of 1929*, p. 243.

example of the doubtful value of the tariff régime is furnished in the case of sugar. Before 1909 the Philippines exported large quantities of muscovado sugar to the nearby markets of China and Japan. With the establishment of free trade the centrifugal sugar industry sprang up, the output of which is exported solely to the United States. As a result, the Philippines have lost a natural sugar market in China and Japan. Although they have gained a market in the United States, it is based upon a political favor which may be withdrawn at any time. The free trade régime has artificially created a sugar industry in the Philippines, and at a time when the world is suffering from an over-production of this commodity. Both Americans and Filipinos testify to the backward economic condition of the Islands; and it is alleged that this backwardness is partly due to free trade, which has forced the Islands to grow a few crops for the American markets located 7,000 miles away, instead of diversifying agriculture and building up markets close at home.

The second argument advanced against the present tariff régime is that it prevents the Philippine government from collecting revenue upon imports from the United States. Had a duty of 20 per cent been imposed upon such imports in 1928, the Philippine government would have received an additional revenue of about 34,000,000 pesos—or about half the present budget.⁸⁵ American authorities complain that the revenue of the Philippine government is low. One reason may be that the government cannot tax what in other similarly situated countries is one of the most fruitful sources of income—namely, imports from every source.

The third argument is that the free trade régime hampers the establishment of political independence. If the Islands build up an economic system which depends for its existence upon free trade with the United States, this system would be overturned by the imposition of a protective tariff in the United States against the Philippines—which would inevitably follow the granting of independence. It has therefore been proposed that the Philippines be given tariff autonomy, so that by taxing American im-

ports and by negotiating tariff agreements with neighboring countries, they may gradually reorganize their economic system with a view to achieving political independence.

There are some students who do not believe that the cessation of free trade would have a disastrous effect upon Philippine foreign trade. They point out that while the American sugar market would be lost, the export of many materials to the United States would continue. For example, both copra and hemp, which now constitute 30 per cent of the total Philippine exports to the United States, are already on the general free list, and hence would presumably be allowed to enter this country free following the achievement of Philippine independence.⁸⁶ In addition, markets in China and Japan would be built up.

VIOLATION OF THE OPEN-DOOR PRINCIPLE

The final argument against the present tariff régime is that it is a violation of the open-door policy which the United States has requested that other governments should adopt. Practically every colonial system in the world imposes duties upon the trade between the mother country and the colonies.⁸⁷ In some cases a preference is given to inter-imperial as compared with foreign trade; but in many colonies, as in territories under League mandate,⁸⁸ the open door prevails. Under this latter régime an American may trade, for example, in British Nigeria upon exactly the same basis as a British trader. Where the open-door system prevails there is no economic incentive for one government to attempt to annex colonies governed by another. But when the closed door is established, as by the United States in the Philippines, neighboring powers tend to be excluded from the trade of the colony; and consequently they resent the occupation of the country by the power which imposes the monopolistic tariff régime. To remove this irritating factor in international relations, the extension of the open-door principle to the entire colonial world has frequently been advocated. In following the opposite policy in the Philippines, the United States, it is argued, obstructs the movement. It is de-

85. Assuming that the Philippines purchased the same amount of goods under the new tariff régime as they have done under the present system.

86. Cf. statement of Pedro Gil, "Independence for the Philippines," *Senate Hearings*, 1930, p. 43.

87. *Colonial Tariff Policies*, Tariff Commission, 1922.

88. Except those under Class C mandates.

clared that the United States, from the commercial standpoint, has much more to gain from the universal application of the

open-door policy than it has from maintaining a quasi-monopoly of trade in the Philippines.

THE LAND SITUATION

A fundamental factor in the economic development of the Philippines is the land situation. The total area of the soil cover of the Philippines is about 72,000,000 acres. More than 25,000,000 acres are forest land, and about 9,000,000 acres are already under cultivation. There remain about 34,500,000 acres of vacant cultivable land, all belonging to the public domain. At present only about 21 per cent of the land suitable for cultivation is being used.⁸⁹ While from the absolute standpoint this percentage is low, it is high in comparison with certain undeveloped countries. Thus, only about 5 per cent of the land in South Africa and Kenya, already alienated or surveyed, is under cultivation.⁹⁰

Although there are about 29,500,000 acres of public land available for alienation, only 77,800 acres on the average are being alienated or leased annually. These figures indicate that "nearly 400 years must elapse at the present rate of development before the Philippine Islands are cultivating all the land that can be cultivated here."⁹¹

One reason for this supposedly slow rate of development is the restriction imposed upon the acquisition of land by corporations. Restriction was first imposed by the American Congress in the organic act of 1902.⁹² The Jones act of August 1916 authorized the Philippine Legislature to enact laws concerning public lands, subject to approval by the President of the United States. Accordingly, in an act of November 29, 1919, the Philippine Legislature declared that any citizen of the United States or the Philippines could take out homesteads of 24 hectares (60 acres);⁹³ while any such citizen or any corporation, of which at least 61 per cent of the capital stock belonged wholly to citizens of the Philippine Islands or of the United States, could purchase any tract of

public agricultural land not exceeding 144 hectares (355 acres) in the case of an individual or 1,024 hectares (2,500 acres) in the case of a corporation.⁹⁴

Subject to the same nationality restriction, individuals or corporations might also lease land up to 1,024 hectares for a period of 30 years at an annual rental of not less than 3 per cent of the annual value of the land.⁹⁵

The object of this restrictive land legislation has been to prevent the resources of the Islands from passing into foreign hands, or a return to the condition when the Catholic friars had land holdings.⁹⁶

Whether or not as a result of this legislation, the Philippines today are dotted with small farms, the average size being about 1.23 hectares (3 acres). The number of farms has increased from 815,500 in 1903 to 1,955,000 in 1918.⁹⁷ About 96 per cent of the area under cultivation is owned by Filipino farmers.⁹⁸ With the exception of some Japanese hemp plantations in the Gulf of Davao, there are few foreign agricultural corporations in the Islands.⁹⁹

In other words, the resources of the Philippines are for the most part in Filipino

94. Act of November 29, 1919, Sections 12 and 23.

95. It is a debated question whether the nationality restrictions apply only to the sale or lease of public land, or whether they prevent a Filipino from selling or leasing private land to a foreigner. (*A Survey of Economic Conditions*, cited, p. 63.) It is also debated whether or not a corporation may lease land up to 1,024 hectares in addition to purchasing land to the same amount. In some British colonies the acquisition of land by foreigners is limited to 5,000 acres. (Buell, *Native Problem in Africa*, cited, Vol. I, p. 488.)

96. *Report of the Governor-General, 1928*, p. 4. Practically every franchise granted by the Philippine Legislature since 1914 contains a provision binding the grantee "not to engage in or aid, by means of contribution in cash or otherwise, any propaganda directed against . . . the aspirations of the Filipino people" in regard to independence. (Forbes, cited, Vol. II, p. 275.)

97. *Statistical Bulletin of the Philippine Islands, 1928*, p. 33. Between 1903 and 1918 the number of actual owners increased from 658,500 to 1,520,000. Cash tenants increased more rapidly—from 14,400 to 62,000, while share tenants increased from 132,400 to 257,000.

98. "Philippine Independence," *Senate Hearings, 1924*, p. 25.

99. An exception is the *Compañía General de Tabacos de Filipinas*, which owns 10,278 hectares acquired in 1884. This company has contracted with the government for irrigation water. At present 11,000 people live on the estate as tenant farmers; while 5,000 people are employed for daily wages. The Hammond report declares that it is "self-evident that had it not been for the possession of this large tract of land, the company would not have had the incentive to participate in the original irrigation project or make the original agricultural experiments leading up to the present development." (*A Survey of Economic Conditions*, cited, p. 60.)

89. *A Survey of Economic Conditions*, cited, p. 62.

90. Buell, *Native Problem in Africa*, cited, Vol. I, p. 85, 303.

91. *A Survey of Economic Conditions*, cited, p. 17.

92. Section 15 of the organic act limited sale to actual occupants to an amount not exceeding 16 hectares (39½ acres) per person, or 1,024 hectares (a little over 2,500 acres) per corporation.

93. With certain exceptions.

hands, in contrast to the situation in Porto Rico and Cuba, where these resources have passed in large part to American corporations.¹⁰⁰

THE FRIAR LANDS

In addition to enacting restrictive land legislation, the United States at the beginning of its occupation of the Philippines, adopted a policy of promoting native small-farm agriculture, in connection with the so-called "friar lands." These were vast holdings acquired under Spanish rule by the Catholic orders who leased such lands to Filipino tenants. In some cases tenants refused to pay rents on the ground that they were exorbitant; and upon the establishment of American rule, it was realized that the hold of the Church upon the land must be relinquished. In 1902 the Secretary of War instructed Governor Taft to visit Rome to negotiate the purchase of the friar lands from the Vatican. An agreement was finally signed in which the Philippine government secured about 410,000 acres for \$7,000,000—a sum which was raised by a bond issue.

The government, through the Bureau of Public Lands, has inaugurated a plan of allocating these lands to peasant farmers, giving preference to existing tenants. Ownership of a plot may be acquired by the annual payment of 8 per cent of the sale price over a period of 25 years.¹⁰¹ This sum is said to be less than the rent formerly exacted. Up to 1928 about 49,000 lots had been thus sold to Filipino farmers.¹⁰²

PEONAGE

While an effort has been made to exclude large foreign holdings and to develop peasant proprietorship in the Philippines, little has been done to eliminate the system of peonage, or debtor labor. Filipino landlords, called *caciques*, frequently involve their tenants or laborers in debt. These tenants cannot leave their employment until the debt has been paid, and as the clandestine interest rate is 10 or 20 per cent a month, it is al-

most impossible to extinguish it.¹⁰³ Dean C. Worcester has declared that peonage "lies at the root of the industrial system of the Philippines."¹⁰⁴

In 1912 the Philippine Commission,¹⁰⁵ controlled by American members, agreed to an act which imposed a fine or imprisonment upon laborers who violated their contracts. The result of this law was to strengthen the peonage system, since if a laborer attempted to desert his employment before paying off his debt, he could be imprisoned.¹⁰⁶ In December 1927 the Philippine Legislature repealed this law, thus removing the legal sanction to peonage.¹⁰⁷

LAND REFORMS

Believing that existing land legislation is responsible in part for the economic backwardness of the Islands, a number of American spokesmen have urged the Philippines to liberalize their land and corporation laws. Although such recommendations were made before the World War,¹⁰⁸ they became particularly numerous during the Hoover campaign to find new sources of rubber, after the British placed restrictions on rubber production in their dependencies in the Orient. In 1925 the Department of Commerce declared after an extensive survey that "on the islands of Mindanao, Basilan and Jolo there were located regions comprising more than 1,500,000 acres which were suitable for rubber planting."¹⁰⁹ Its report declared that the land laws were too restrictive "for corporations wishing to undertake plantation projects on a large scale. . ." but pointed out that the Philippine Legislature had power to make grants of land on more favorable terms, subject to the approval of the President of the United States.¹¹⁰

103. Forbes, cited, Vol. I, p. 526. Usury laws prohibit usurious loans.

104. Worcester, *The Philippines, Past and Present*, cited, p. 714; cf. also Katharine Mayo, *The Isles of Fear* (New York, Harcourt, Brace & Company, 1924), Chapter IV. The ignorance of certain landowners has also been exploited by the *caciques*. "Some shocking cases of abuse of power arose, violence resulting in a number of instances, even reaching to the extent of murder, or the filing of false charges resulting in the poor man being thrown into prison while his property and crops were taken possession of by the rapacious *cacique* of his region." (Forbes, cited, Vol. I, p. 326.)

105. For the appointment and functions of this Commission, cf. p. 58.

106. Cf. Wood-Forbes Report, cited, p. 25.

107. Act No. 3385. (*Philippine Gazette*, 1928, p. 221.)

108. Viz. in 1909; cf. Forbes, cited, Vol. I, p. 324.

109. U. S. Department of Commerce, *Possibilities for Para Rubber Production in the Philippine Islands* (Washington, Government Printing Office, 1925), p. 1.

110. *Ibid.*, p. 6.

100. Cf. "The Problem of Porto Rico," cited, p. 454; "Sugar and the Tariff," cited, p. 116.

101. In 1926 a law was passed requiring that tracts of friar land be purchased in 15 years. Amendatory Act, No. 3323, December 4, 1926.

102. *Report of the Governor-General, 1927*, p. 254.

After referring to the rubber possibilities of the Islands, Mr. Carmi Thompson in his report to President Coolidge in 1926 recommended that the Philippine Legislature amend the land laws "so as to bring about such conditions as will attract capital and business experience for the development of the production of rubber, coffee and other tropical products, some of which are now controlled by monopolies."¹¹¹

Mr. Harvey Firestone desired to enter the Philippines for the purpose of growing rubber, but after investigation he declared that this could not be done until the Philippines had modified their laws so as to allow the acquisition of more land and the importation of contract labor.¹¹² The Legislature in its seventh session refused to adopt a bill making a special grant,¹¹³ and Mr. Firestone concentrated his attention upon Liberia.

In his inaugural address of March 1, 1928, Governor-General Stimson emphasized the importance of the economic development of the Philippines. He declared that it was "the simple truth . . . that individual freedom and the practice of self-government are found to be most prevalent and firmly held in those communities and nations which have a highly developed system of industry and commerce as their foundation. . . ." He asked for opportunities for American capital in the Philippines, claiming that in the United States the "abuses of capital which excited criticism a generation ago have been curbed." In a message to the Legislature, he also asked for the "wise and conservative revision" of the land laws, the corporation laws and certain other measures. Mr. Stimson declared that "American capital has learned the unwisdom of attempting to exploit the land in which it enters." Senator Cabahug introduced a measure into the Legislature extending the holdings which foreigners might acquire from 1,024 hectares (about 2,500 acres) to 5,000 hectares (12,350 acres). It was declared that Governor-General Stimson favored some such bill.¹¹⁴

111. Carmi Thompson, *Conditions in the Philippine Islands*, Senate Document No. 180, p. 10.

112. Cf. Mr. Firestone's testimony, "Crude Rubber, Coffee, etc." *House Hearings*, 69th Congress, 1st Session, 1926, p. 257.

113. Cf. *Diario de Sesiones*, 1928, p. 458.

114. *Ibid.*, p. 417, 419.

CONTROVERSY OVER FOREIGN CAPITAL

At first the proposals to encourage the entrance of foreign capital met with widespread opposition. Speakers called attention to the fate of Cuba, Porto Rico and Hawaii. It was declared that the entrance of large plantations into the Philippines sooner or later would lead to a demand for imported labor from China.¹¹⁵

Commenting on the Stimson program, Mr. Osias said:

"The supreme ambition of the Filipino people has never been that of being the richest people on earth. The thought, the ideal which has animated us in our individual and national life has always been the ideal of freedom and independence."¹¹⁶

On September 15, 1928, Sr. Manuel Roxas, speaker of the Philippine House of Representatives, declared that public opinion was demanding careful and close scrutiny of all proposals tending to amend laws governing business and agriculture. It feared the "stranglehold of the American economic octopus . . . which would leave our country lifeless and forever dependent on the United States."¹¹⁷ At a banquet given in honor of Mr. Stimson on September 27, 1928, Sr. Quezon, president of the Philippine Senate, declared that while the policy of political cooperation had won approval, candor compelled him to admit that Mr. Stimson's economic policies had

"aroused misgiving in certain quarters. . . . But there has been in recent years an apparently deliberate campaign to induce the United States to reverse its policy with regard to the Philippines and to have her follow the path of greedy and selfish imperialism. This, together with the suggestions to open up Mindanao for the production of rubber by large American corporations permanently holding unlimited tracts of land and the presentation of bills in Congress intended to segregate the rich island from the rest of the Archipelago, could not but engender distrust and suspicion in the minds of our people. Thus, whenever anyone, whether in public or in private life, advocates economic development there is at once the fear that it might be a scheme behind which lurks a purpose of enslaving our people both politically and economically."

In reply Mr. Stimson denied that he wished to turn Mindanao over to American

115. *Ibid.*, p. 458 ff.

116. *Ibid.*, p. 31.

117. *Ibid.*, p. 671.

corporations. Nevertheless, he reiterated the importance of economic development. The Filipinos could not look to the government for salvation. They had to call to their assistance private capital "both here and in America." But it was unnecessary to place the resources of the country in foreign hands. What was necessary was a development of the cooperative idea already applied in the case of the sugar centrals;¹¹⁸ namely, the grouping of small farmers around a common central, operated by foreign capital, and expert advice, to aid the farmers in the production and marketing of crops. By such means the advantages of scientific production and the small-farm system could be combined. He believed that this cooperative method might be applied to the development of the rubber industry in Mindanao.

REFORMS ADOPTED

In order to obtain capital for agriculture it was necessary to resort to investment companies. But under Philippine laws it was illegal for a stockholder of a corporation engaged in agriculture to be in any way interested in any other corporation engaged in that industry.

As a result of Mr. Stimson's efforts, the Legislature repealed this provision prohibiting an investor from being interested in more than one agricultural corporation. It

also authorized no-par stock and stock dividends,¹¹⁹ and made certain amendments in the land act facilitating the distribution of lands by the government.¹²⁰ It authorized the appointment of ten new judges for the purpose of clearing up land titles. It did not, however, change the restrictions upon the amount of land that corporations might acquire.¹²¹

In accordance with the plan to stimulate cooperative agriculture, the government in April 1929 set aside 34,500 acres of land in Mindanao as an agricultural colony for the cultivation of pineapples. This land will be available in lots of 24 and 144 hectares (70 and 355 acres) to Filipino settlers who are willing to raise pineapples; and graduates of the College of Agriculture are given preference. The Philippine Packing Corporation, a private concern, has a factory and plantation adjoining this reservation, and it will finance and furnish seed to the settlers. Experts of the corporation will also supervise the work of inexperienced settlers.¹²²

Such is the system by which it is hoped to combine the merits of the small farm with scientific production. The only criticism which may be offered to this program is that unless the government closely watches the activities of the American corporation which supervises the Filipino farms, the independence and initiative of the Filipino settler may become more nominal than real.¹²³

PART IV

THE POLITICAL PROBLEM: DEVELOPMENT OF SELF-GOVERNMENT

While the development of the material, educational and physical welfare of the Filipino people is important, the most interesting objective of the United States has been to train them for eventual self-government. To achieve this aim, the United States has established a system of local government which is entirely in Filipino hands. Like-

wise it has gradually increased the powers of the people of the Islands in the central government. The actual extent of the powers exercised by the Philippine parties in the central government, however, depends very much upon the Governor-General for the time being in office. There is therefore an

118. Cf. "Sugar and the Tariff," cited, p. 108. The Philippine National Bank financed about six sugar centrals and the planters devote 25 per cent of their net profits annually to the purchase of stock in these centrals; cf. also "Philippine Independence," *Senate Hearings*, 1924, p. 26. About 49 per cent of the sugar centrals are under Filipino control, 27.63 per cent under American control, and 22.07 per cent under Spanish control. (*Facts and Statistics about the Philippine Sugar Industry*, Manila, p. 46.) The production of sugar increased from 764,000 pounds in 1913 to 1,477,000 pounds in 1928.

119. For the amendments in the corporation law, cf. *Official Gazette*, 1929, No. 3518, p. 995.

120. *Ibid.*, No. 3157. This act also provided that within five years the lessee should have not less than one-third of the leased land broken and cultivated.

121. In his annual report Mr. Stimson stated that "the average Filipino believes that it is better for his country to be slowly and gradually developed by a population of comparatively small individual landowners than to be more rapidly exploited by a few large corporations which own the land and till it either with tenant farmers or hired employees." (*Report of the Governor-General*, 1928, p. 4.)

122. *Commerce and Industry Journal*, June 1929; cf. also Proclamation No. 230, April 22, 1929, *Official Gazette*, 1929, p. 1485. The government gives no financial aid to this project.

123. Originally the sugar mills or centrals of Cuba were started upon this principle of serving the interests of small independent *colonos*, but today the centrals have acquired ownership or control of most of the *colono* land. ("Sugar and the Tariff," cited, p. 110.) For the failure of this type of production in Sierra Leone, cf. Buell, *Native Problem in Africa*, cited, Vol. I, p. 870.

element of uncertainty in the present political system, which the Filipinos as well as many Americans wish to see clarified.

At present there are about 865 municipalities in the Philippines, the officials of which are Filipinos. Each municipality has an elective council the members of which serve for three years. The president of each council—an elective official—fills all non-elective positions with the consent of the majority of the council, except in the case of the municipal treasurer, teachers, and justices of the peace, who are appointed by central or provincial authorities, usually in accordance with the civil service law.¹

PROVINCIAL GOVERNMENT

The Philippines are divided into 40 regular provinces and nine specially-organized (non-Christian) provinces. The officials in the regular provinces are all Filipinos. Each of these provinces is administered by a governor and two other elective officials, who constitute the provincial board. In a number of cases this board can act only with the consent of the Secretary of the Interior (himself a Filipino). The other provincial officials are appointive. Thus the central government appoints the provincial treasurer, the provincial "fiscal" (district attorney), the provincial assessor, the provincial auditor, the provincial commander of the constabulary and the district health officer. In the case of the provincial treasurer and the fiscal, appointments require the consent of the Senate. But the other appointments are made by the central department or bureau concerned.

Each of the appointive officials is responsible to one of the six departments in the central government, while all of the provincial officials may be removed or suspended for misconduct by the Governor-General. Moreover, the Executive Bureau of the Department of the Interior at Manila generally supervises the activities of municipal and provincial governments. It carries on inspections and receives complaints against officials. For example, in 1924 it

heard 409 complaints; out of 65 elective municipal officials proceeded against, eight were removed.² Conferences of the provincial governors and provincial treasurers are held annually.

In 1926 the Secretary of the Interior reported:

"On the whole the conduct, morality, and efficiency of provincial and municipal officials were excellent. . . . A high standard of morality was maintained by the officials entrusted with the custody of public funds."³

Criticisms have been made that the system of government in the Philippines is over-centralized. In 1921 the Secretary of the Interior declared that "questions relating to assessment, issuance of bonds for public improvements by provinces and municipalities, and other important undertakings require action of one sort or another from the central government." Moreover, private citizens have followed the practice of filing directly with the central government complaints against local officials "even for a minor dereliction of duty." The Secretary of the Interior declared, "If this practice is not checked in time, the provinces and municipalities [will], sooner or later, be absorbed by the central government."⁴ In 1924 the administration reported that local autonomy was being encouraged.⁵

THE NON-CHRISTIAN PROVINCES

Less than one million of the 12 million inhabitants of the Philippines are non-Christian peoples.⁶ About half of these are pagans, including the pigmy Negritos and the head-hunting Igorotes, many of whom live in the Island of Luzon. About half are Moslem groups, collectively called Moros, who inhabit Mindanao and Sulu. These non-Christian peoples are distributed among nine specially-organized provinces and are under the jurisdiction of the Bureau of Non-Christian Tribes, which is part of the Department of the Interior.⁷

2. *Report of the Governor-General, 1924*, p. 58.

3. *Ibid.*, 1926, p. 73.

4. *Ibid.*, 1921, p. 51.

5. *Ibid.*, 1924, p. 53. Complaints are now made that the provincial treasurer is over-burdened with duties. (Sr. Marabut, *Diario de Sesiones*, 1928, p. 393.)

6. *Eighth Census*, H. Otley Beyer, "The Non-Christian People of the Philippines," Vol. I, p. 907.

7. Seven provinces are in the former department of Mindanao and Sulu; two are found in northern Luzon.

1. Thus the municipal treasurer is appointed by the provincial treasurer, and may be removed by the provincial board. The justices of the peace are appointed with the consent of the Senate; and the teachers by the Bureau of Education. Manila is governed under a special charter, the Mayor being appointed by the Governor-General with the consent of the Senate. Baguio also has a special charter.

A particularly difficult problem of administration has been presented by the Moros, who have lived under tribal institutions and have had the reputation of being fierce fighters.

In 1899 the United States made the Bates agreement with the Sultan of Sulu, undertaking to respect his "rights and dignities."⁸ But in 1904 it abrogated the treaty on the ground that the Sultan had not lived up to its terms. In spite of this, the Sultan apparently wished to continue to exercise judicial power, at least in civil cases, and to enjoy other traditional rights of which the United States desired to deprive him. After a series of disputes, the United States made an agreement with the Sultan in 1915 whereby the latter admitted that the United States had full judicial power. In return the United States recognized the Sultan as the spiritual head of the Moslems of the Archipelago. He is paid by the Philippine government an annual subsidy which in 1930 amounts to 6,000 pesos.⁹

Between 1903 and 1913 the Island of Mindanao and the Sulu Archipelago—then known as the Moro province—were administered by a military governor and other American officials. The province was given a legislative council composed of these officials, while the provincial treasury was allowed to retain the customs and internal revenue collected in the territory. Filipinos were excluded from administration on the ground that traditional hostility had existed between the Christian and non-Christian peoples. Moreover, general legislative power over non-Christian people was reserved to the Philippine Commission, a body controlled by Americans.¹⁰ Thus before 1913 the Moro province was kept separate from the Philippines proper. The principal task of the military administration during this period was to establish peace, stamp out piracy and gradually assimilate the Moro people. While progress along many lines was made, the decade was marked by a series of punitive expeditions.

Commenting on the American administration of the Moro province, Mr. Cameron Forbes declares:

"In the opinion of some careful observers, it is believed that progress would have been more rapid and these abuses would have been cured with much less bloodshed and open hostility had the early administrators made haste a little more slowly, won the confidence of the native rulers by first learning their language and dealing with them in their own tongue, and then explaining the necessity for these reforms."¹¹

MORO ASSIMILATION

With the advent of Governor-General Harrison and the Democratic party, a change came. An American civil governor was appointed to administer the Department of Mindanao and Sulu, as the Moro province now came to be called,¹² while the financial autonomy of the district was suppressed. During the next few years Filipinos supplanted Americans in nearly all positions.¹³ In 1915 the Philippine Commission drafted a new code of laws for the Moros, the preamble of which declared that its purpose was to accomplish the complete unification of the Moros with the inhabitants of other provinces; and that although certain special provisions and limitations were for the time being necessary, its firm purpose was "to abolish such limitations together with the departmental government, as soon as the several districts of said region shall have been converted into regularly organized provinces."

The Jones act of 1916¹⁴ transferred legislative authority over non-Christian tribes to the Philippine Legislature,¹⁵ in which non-Christian peoples were admitted to representation. As a result of this provision the Governor-General for the time being appoints 2 of the 24 members of the Senate and 9 of the 94 members of the lower house to represent the non-Christian provinces. It is understood that at present 6 of the 9

11. Forbes, cited, Vol. II, p. 23.

12. This department was divided into seven provinces, each being responsible to the departmental government.

13. F. B. Harrison, *The Cornerstone of Philippine Independence* (New York, The Century Company, 1922), p. 116. During the period in which the Moro districts were being Filipinized, school attendance increased from 12,617 to 61,187. It is claimed that material progress in other ways was also made. ("Filipino Appeal for Freedom," cited, p. 79.)

14. Cf. p. 58.

15. It also provided that the Bureau of Non-Christian Tribes should have general control over territory represented in the Legislature by appointive senators and representatives.

8. For the text, cf. Forbes, cited, Vol. II, p. 470. The British North Borneo Company recognizes the nominal sovereignty of the Sultan of Sulu over North Borneo by paying him 5,000 Borneo dollars a year. (*Diario de Sesiones*, 1928, p. 1307.)

9. By virtue of acts passed in 1917, 1919 and 1928, the Sultan of Sulu has also been given a little over 13,000 acres of land, thus ending all rights of temporal sovereignty. However, he cannot alienate this land within twenty years from 1928. (Cf. Acts 2722, 3118 and 3430.)

10. Cf. p. 58.

representatives in the House are Christians. It is assumed, however, that eventually representatives from the non-Christian provinces will be elected upon the same basis as representatives from other parts of the Philippines.

The next step toward assimilation was the division of the Department of Mindanao and Sulu into seven provinces (1920), each responsible directly to Manila. These seven provinces, together with two specially-organized provinces in Luzon, have continued to be supervised by the Bureau of Non-Christian Tribes in Manila. The policy of the government is gradually to give these provinces the elective institutions found elsewhere. Thus in 1922 four of the specially-organized provinces elected their provincial governors.¹⁶ Each of the specially-organized provinces now elects one member to its provincial board.

In 1924 the Council of State formally announced a policy of appointing non-Christian inhabitants to positions in the different bureaus and offices of the government in Manila as well as in the non-Christian provinces.¹⁷ In 1927, 1,674 non-Christians were employed in the non-Christian provinces in such positions as third members of provincial boards, deputy provincial governors, municipal and district presidents, policemen, teachers, treasurers, etc.¹⁸

Unlike British policy in West Africa and Dutch policy in the East Indies, American policy in the Philippines has not tolerated tribal institutions and customs. Not only has the Sultan of Sulu been deprived of his traditional powers, but the Legislature has also enacted laws looking to the prohibition of polygamy and slavery, while an attempt has been made to establish compulsory education for Moslem girls. As has been indicated, the present policy is to prepare non-Christian people for the same system of government and administration as inhabitants of other parts of the country enjoy.¹⁹ This policy of assimilation has been criticized by a number of observers. They de-

clare that as a result of destroying native institutions a situation of chaos, which is responsible for frequent disorder, has arisen. They believe that the Moros should be administered through their own sultans and *datus*, and courts and councils, until they themselves express a desire for change.

Others declare that the Moro Sultans never had real authority, that Moro institutions are socially harmful, and that their perpetuation would mean a delay in the establishment of Philippine unity.

Señor Quezon declares that "the Moros do not want to be governed in their local affairs either by Filipinos or Americans, but by Moros, and they are right. If the Philippines were given independence, the Moros would have complete self-government in local affairs and would share in the general government on equal terms with the Filipinos."²⁰

THE MOROS AND INDEPENDENCE

In 1921 the Wood-Forbes commission²¹ expressed the opinion that "the Moros are a unit against independence and are united for continuance of American control and, in case of separation of the Philippines from the United States, desire their portion of the Islands to be retained as American territory under American control." It declared that the minor disturbances which had occurred in the Moro regions were due principally "to energetic and sometimes overzealous efforts to hasten the placing of Moro children, especially girls, in the public schools, and to the too sudden imposition upon the disarmed Mohammedans of what amounts to an absolute control by Christian Filipinos. It is also due in part to failure to give adequate representation in local governments to Moros."²²

In 1926 Congressman Bacon introduced a bill providing for the separation of Mindanao and Sulu from the Philippines and for their administration by a commission under United States supervision.²³ No action on this bill was taken by Congress.

16. *Filipino Appeal for Freedom*, p. 78. (The number was the same in 1928, *Official Gazette*, p. 2747.)

17. *Report of the Governor-General, 1924*, p. 60.

18. *Ibid.*, 1927, p. 115.

19. Nevertheless, after a debate the Legislature decided in 1928 not to require the automatic application of a civil register law to the non-Christian provinces. (*Diario de Sesiones*, 1928, p. 387.)

20. Speech in Baltimore, December 4, 1927.

21. Cf. p. 65.

22. *Report of the Special Mission to the Philippines*, House Document 325, 67th Congress, 2nd Session, 1922, p. 21 ff.

23. Cf. "The Moro Problem in the Philippines," Remarks of Hon. R. L. Bacon, House of Representatives, May 6, 1926; also T. H. Haynes, "The Fate of the Sulu Islands and Sultanate." (London, 1924.) Cf. p. 52 for their relation to rubber.

Filipinos resent repeated American statements to the effect that the Moros are opposed to Philippine independence. Many complain that Americans attempt to stimulate Moro animosity against their neighbors

in accordance with the principle of "divide and rule."²⁴ In support of their view they point out that Moro representatives in the Legislature vote for Philippine independence every year.

THE CENTRAL GOVERNMENT

This brief review indicates the extent to which Filipinos control the municipal and provincial governments. But in view of the fact that many officials in the municipal and provincial governments are appointed from Manila, and that the whole system of local government is under the immediate inspection of the Secretary of the Interior, the extent to which the Philippines are self-governing depends upon the extent to which Filipinos control the central government.

From the very beginning a chief executive, appointed by the President of the United States, has been responsible for administration of the central government. Before 1907, however, legislative power was vested in the Philippine Commission, which was composed of three Filipinos and four Americans, appointed by the Governor-General. These four Americans were also heads of the four executive departments in the government.²⁵ They supervised the work of a civil service which in 1903 contained 2,777 Americans and 2,697 Filipinos.

In 1907 the United States established the Philippine Assembly, a popularly elected body;²⁶ and until the Jones act was passed in 1916 legislative power was vested jointly in this Assembly and in the Philippine Commission, which acted as an upper house.

In 1908 the Assembly approved a declaration in favor of independence, which asserted that "through all the vicissitudes, difficulties, and reverses the ideal of the Filipino people has remained unalterable. . . The Filipino people aspire today as before taking up arms for the second time against Spain, as thereafter in the din of arms and then in peace, for their National Independence."²⁷

24. The memorandum presented to the Wood-Forbes commission in 1921 by the Moro *datus*, requesting separation from the rest of the country, was prepared by American and foreign residents. (Forbes, cited, Vol. II, p. 47.)

25. The first Filipino department head was appointed in 1908.

26. Congress authorized this body in the organic act in 1902, but laid down as conditions precedent to its formation that complete peace should be established and a census taken. The President was left free to decide when these conditions had been met.

27. Cf. R. Palma, "Our Campaign for Independence," with annotations by T. M. Kalaw (Manila, 1923), p. 31.

Between 1907 and 1913 the Philippine Assembly engaged in a series of conflicts with the American-controlled Commission and the Governor-General over appropriations and other matters. One of the matters in dispute was the appointment of two resident commissioners to represent the Philippines in Washington. The organic act of 1902 had provided that these commissioners should be selected by the Assembly and the Philippine Commission, voting separately. Desiring that both commissioners should favor independence, the Assembly contended in 1910 that it should have the right to elect them both. Although the Philippine Commission declined to surrender the right to name one of the Washington commissioners as in the past, it finally agreed to elect a commissioner who favored independence.²⁸

The conflicts between the American authorities and the Philippine Assembly came to an end after the accession to power of President Woodrow Wilson and the Democratic party, which was pledged to grant independence to the Philippines.

THE JONES ACT

In 1914 the House of Representatives passed a bill, the preamble of which favored independence for the Philippines as soon as a stable government could be established. It conferred large powers upon the Philippine government. The Senate failed to act at this time, but on February 2, 1916, by the deciding vote of Vice-President Marshall, it adopted the Clarke amendment in favor of complete independence within not less than two nor more than four years.³⁰

The Clarke amendment was defeated in the House by a vote of 213 to 165. About 30 Democrats bolted the caucus, and voted against the amendment, presumably because

28. "Election of Resident Commissioners to the United States," Philippine Assembly, 2nd Legislature, 1st Session, Documents 20, 250—A. 38.

30. *Congressional Record*, October 14, 1914, p. 16629; *Ibid.*, February 1916, p. 1998.

the Roman Catholic Church was then opposed to Philippine independence.³¹

The Jones act, as finally enacted on August 29, 1916, contained the following preamble:

"Whereas it was never the intention of the people of the United States in the incipency of the war with Spain to make it a war of conquest or for territorial aggrandizement; and

"Whereas it is, as it has always been, the purpose of the people of the United States to withdraw their sovereignty over the Philippine Islands and to recognize their independence as soon as a stable government can be established therein; and

"Whereas for the speedy accomplishment of such purpose it is desirable to place in the hands of the people of the Philippines as large a control of their domestic affairs as can be given them without, in the meantime, impairing the exercise of the rights of sovereignty by the people of the United States, in order that, by the use and exercise of popular franchise and governmental powers, they may be the better prepared to fully assume the responsibilities and enjoy all the privileges of complete independence, etc."

This preamble has always been regarded by the Filipinos as a promise of independence.

To determine the extent to which the Filipinos already govern themselves, it is first necessary to examine in some detail the organization of the executive, legislative and judicial branches of government under the Jones act.

POWERS OF THE EXECUTIVE

The President of the United States, with the consent of the United States Senate, appoints the Governor-General and the Vice-Governor of the Philippines. The President also appoints the auditor and the deputy auditor. Although the salaries of these officials are paid out of insular funds, they are fixed in the organic act and hence cannot be reduced by the local Legislature.³³ Ac-

31. *Ibid.*, May 1, 1916, p. 7210, and August 8, 1916, p. 12830. Cf. also Forbes, cited, Vol. II, p. 193, 256, 373; and Harrison, *The Cornerstone of Philippine Independence*, cited. At the Eucharist Assembly in December 1929 Father Mercado offered an independence resolution to prove that the Catholic clergy were not opposed to Philippine independence, but the motion was ruled out of order. Two days later Filipino priests issued a statement declaring that they worked and prayed that their country might at last get "immediate and absolute independence." (*Philippine Herald*, December 15, 1929; *Manila Herald*, December 17, 1929.)

33. Before the Jones act was passed, the salary of the Governor-General was \$22,500; of the Vice-Governor, \$15,000; and of justices, \$10,000. The Jones act reduced these salaries (Section 29), providing that the Governor-General shall receive \$18,000; the Vice-Governor, \$10,000; the chief justice, \$8,000;

cording to the organic act, the Governor-General has "supreme executive power" and general supervision and control over all the departments and bureaus of the government."³⁴ He is responsible for the faithful execution of the laws. With the consent of the Philippine Senate he appoints officials to local positions in accordance with law.

The Vice-Governor acts as head of the Department of Public Instruction, which includes the Bureaus of Education and Health. Apparently the United States regards these two bureaus as the most important in the government departments, since they cannot be abolished by the Philippine Legislature. The Vice-Governor acts as Governor-General in case of the latter's inability to serve.

The third and not the least important executive official appointed by the President of the United States is the auditor. He examines, audits and settles all accounts pertaining to revenues and receipts; and has the duty "to bring to the attention of the proper administrative officer expenditures of funds or property which, in his opinion, are irregular, unnecessary, excessive or extravagant."³⁵

No insular warrant may be paid by the treasurer until it has been countersigned by the auditor³⁶ and no contract involving 3,000 pesos or more may be authorized without a certificate from the auditor to the effect that an appropriation for the purpose exists.³⁷ There have been many differences of opinion as to the extent of the auditor's power.³⁸

ORGANIZATION OF THE LEGISLATURE

The appointive Second Chamber (i.e., the Philippine Commission) is superseded by a Senate composed of 22 members elected every six years, together with two appointed senators representing the non-Christian

the associate justices, \$7,500; the auditor, \$6,000; the deputy auditor, \$3,000. The 1930 Philippine budget fixed the salary of the chief justice at \$10,500 and of other justices at \$10,000. (*Official Gazette*, 1929, p. 995.)

34. Cf. p. 55.

35. Organic Act, Section 24.

36. Administrative Code, Section 621.

37. According to Act 3457 (1928) there is now an auditor for each province, in addition to four supervising district auditors responsible to the auditor—making a total of about 50 auditors.

38. Cf. p. 67 for his action in connection with the Independence Fund. (Cf. *Tan C. Tee and Co. vs. Ben F. Wright, as Insular Auditor*, decided by the Supreme Court of the Philippines, *Official Gazette*, June 6, 1929.) In this case the insular auditor claimed the right to pass upon the question of which bidder should receive a contract, but he was overruled not only by the Governor-General but by the Philippine Supreme

areas.³⁹ The House of Representatives consists of 85 members, elected for three years, together with nine members appointed to represent the non-Christian provinces.⁴⁰ Suffrage is confined to men over 21 who own real property to the value of 500 pesos or who formerly exercised the suffrage, or who can read and write either Spanish, English, or a native language.⁴¹ It is understood that today less than 10 per cent of the qualified voters are illiterate.

ELECTIONS

The conduct of elections is in charge of three inspectors and one poll clerk for each precinct. Two inspectors must belong to the party receiving the largest number of votes, while the third comes from the second largest party. Ballots are counted publicly and watchers, who may witness the registration and voting and the counting of ballots, represent the opposing candidates. An illiterate voter may choose a friend who is not a candidate to assist him in the preparation of his ballot,⁴² accompanied by a watcher. The law provides for the establishment of a permanent registry of voters; and in 1925, 1,131,137 voters were registered. Between 81 and 92.5 per cent of those registered actually vote—a proportion much higher than is found in ordinary Presidential elections in the United States.⁴³ The general elections are held under the supervision of the executive bureau. The percentage of registered voters to voting population has increased from 11.14 per cent in 1909 to 44.89 per cent in 1928.⁴⁴

Court. (Cf. also *Wright vs. Unchausti*, U. S. 272, U. S. 640, 1926. In this case it was ruled that the auditor could not pass upon the merits of a claim for which a warrant is drawn, but only upon the questions of whether a warrant has been drawn by the proper official and whether it is applicable to an existing appropriation. "Having been satisfied as to these preliminaries, his duty is purely ministerial.")

39. Cf. p. 56.

40. The only representation of the Philippine government in the government at Washington takes the form of the two resident commissioners already referred to, who are elected every three years by the Philippine Legislature.

41. Before 1916 the voting age was 23, and the educational requirement was a knowledge of Spanish or English. As a result of the change made in the Jones act, the number of voters in 1919 was three times that of 1912.

42. For the election law of December 3, 1927, cf. *Official Gazette*, 1928, p. 239.

43. In 1928 about 75 per cent of the "eligible electorate" voted in the Presidential election in the United States, in comparison with 50 per cent in 1920. (S. Michelet, "An Analysis of the Vote in the National Election," *Current History*, February 1929.)

44. *Statistical Bulletin*, 1928, p. 8.

While there has been little or no violence in Philippine elections, charges of fraud have been made. From 1907 to 1926, 1,590 cases of alleged violation of the election law came before the courts, and resulted in 566 convictions. During the same period there were 1,453 cases of contested elections, in which the plaintiffs won 47 per cent of the cases.⁴⁵ In 1922 the Wood-Forbes commission declared that the "election machinery is practically in the hands of the dominant parties and the inspectors of election are too often their tools."⁴⁶ Nevertheless, Governor-General Wood declared that the general election of 1922 was conducted "with an absence of fraud and irregularity which would be a credit to any people. . . . The election was honest and fair."⁴⁷ The system of giving the majority in power two inspectors at each booth has nevertheless been criticized. Some concern is also felt at the increase in campaign expenditures.

LEGISLATIVE POWER

Under the Jones act the Philippine Legislature enjoys general legislative powers, including the appropriation of money, subject to a number of specific restrictions. Thus it cannot violate the Bill of Rights in the Jones act; it cannot diminish the jurisdiction of the Supreme Court or courts of first instance; it cannot repeal the provisions in the organic act relating to the appointive senators and representatives; it cannot legislate in regard to tariff relations between the United States and the Philippines. It cannot abolish the Bureau of Education, the Bureau of Public Health or the Bureau of Non-Christian Tribes. Nor may it impose export duties, or exceed certain debt limits. Generally speaking, it has no power to make amendments to its Constitution (the organic act) as have most of the British Dominions.

While the Philippine people elect all but 11 of the members of the Legislature, the United States under the organic act exercises the following forms of control: it retains responsibility for the executive branch of the government; it has a veto over legislation; it is likewise responsible for the judiciary.

45. Forbes, cited, Vol. II, p. 124.

46. *Report of the Special Mission to the Philippine Islands*, cited, p. 43.

47. *Report of the Governor-General*, 1922, p. 45.

The veto power of the United States over acts of the Philippine Legislature takes three forms.

(1) Certain types of legislation—viz., bills relating to the tariff affecting countries other than the United States, or bills concerning public land, timber, mining, immigration and currency—cannot enter into effect without receiving the signature of the President of the United States.

(2) The Governor-General may veto any bill of the Legislature, including individual items in appropriation bills. In case the Legislature passes the bill over such veto by a two-thirds vote, it is sent to the President of the United States for a final decision. There does not seem to be any case where the President has overruled the Governor-General.

(3) Congress has the power to annul any act of the Philippine Legislature—a power which does not seem to have been exercised.

ORGANIZATION OF THE JUDICIARY

The United States, as just indicated, is responsible for the Philippine judiciary. The Jones act gave the Supreme Court of the United States jurisdiction over judgments of the Supreme Court of the Philippines in cases involving any constitutional question in which the value in controversy exceeds \$25,000. In 1925 Congress passed an amendment granting appeals to the United States Supreme Court only on writs of certiorari.⁴⁸ This increased the difficulty of appeal; and at present not more than two or three cases involving the Philippines reach the Supreme Court at Washington in any year.

The nine justices of the Supreme Court of the Philippines are appointed by the President of the United States with the consent of the United States Senate. At present the chief justice and three associate justices are Filipinos. The Supreme Court of the Philippines has two kinds of control over the inferior courts—i.e., the courts of first instance:⁴⁹ (a) it may hear certain cases on appeal; and (b) it may ask the Governor-

General to remove a judge on the ground of serious misconduct or inefficiency.⁵⁰

The courts of first instance in turn supervise the work of the justices of the peace. Each justice of the peace makes an annual report to the court of first instance; and the judge of first instance may reprimand a justice or recommend to the Governor-General that he be removed.

Despite the fact that the Supreme Court, which is responsible for the entire judicial administration, is appointed by the President of the United States, complaints have been made against the inferior courts. The Wood-Forbes report declared that "in the lower tribunals, generally speaking, the administration of justice is unsatisfactory, slow, and halting, and there is a widespread feeling among the people that political, family, and other influences have undue weight in determining issues." It was stated that the number of cases filed in the courts of first instance had steadily increased from year to year. It was added that the justices of the peace were the weakest part of the establishment. The unsatisfactory condition in the administration of justice in its opinion arose from "the lack of proper inspection and prompt, corrective action where inefficiency and negligence have been shown, and from an insufficient number of judges."⁵¹

Filipinos do not agree with the opinions expressed in the Wood-Forbes report. They quote statistics to show that under Governor-General Harrison the Supreme Court reversed about 5 per cent fewer cases than under the preceding Governor-General, which in their opinion showed that the work of the inferior courts had improved under Filipino control.⁵²

It was General Wood's policy to increase the number of American judges in the courts of first instance; but by the end of 1926 only two out of the 55 judges of first instance were American.⁵³

In 1928 Governor-General Stimson reported that "the administration in the justice of the peace courts has in the past been the weakest point in the entire system of the

50. Otherwise the judges in these courts serve until the age of 65. (Administrative Code, Section 173.)

51. Complaints have been made that favoritism is shown prisoners because of political considerations. (*Report of the Governor-General, 1927*, p. 15.) For fraudulent bar examinations, cf. p. 71.

52. *Filipino Appeal for Freedom*, House Document No. 511, p. 31.

53. *Report of the Governor-General, 1926*, p. 17.

48. 44 U. S. Statutes, 907.

49. These judges, as well as justices of the peace, are appointed by the Governor-General with the consent of the Philippine Senate.

Philippine Government."⁵⁴ In that year the responsibility for recommending the appointment of justices of the peace was imposed upon the judge of the district concerned. One difficulty in connection with the position of justice of the peace has been that the salary is low and that the position is usually accepted as a stepping-stone to a higher political office. As a result the turnover is high; in 1927 there were 185 new appointments.⁵⁵

CHECKS AND BALANCES

Although the United States is responsible for the administration of the Philippines, the Legislature may so exercise its powers as to influence this administration materially. Thus the Legislature may decline to vote the appropriations desired by the Governor-General. Subject to the veto of the Governor-General, the Legislature may also define the number and duties of the executive departments, and it may establish a new department or abolish an old one.⁵⁶ Moreover, the Senate may influence the administration of the Governor-General through the constitutional provision whereby its consent is necessary to appointments.

The organic act authorizes the Governor-General to break deadlocks over appropriations by continuing in force the appropriations of the last year. He may evade the necessity of obtaining Senatorial consent to appointments by making *ad interim* appointments, which apparently may be renewed indefinitely.⁵⁷ Nevertheless, the Governor-General has no power to enact legislation to which the Legislature is opposed; and generally the system created by the Jones act, whereby the Legislature is controlled by the Filipinos and by the Executive of the United States, is conducive of deadlocks. Whether these deadlocks occur depends largely upon the view of the Jones act held by the American Governor-General and by Filipino leaders. When the Governor-General has been willing to allow the Legislature to influence administration, harmony has usually prevailed; but when he has attempted to exercise his executive power without regard to the wishes of the

political leaders of the country deadlocks have taken place.

POLITICAL PARTIES

To understand the operation of the Jones act, it is necessary to refer briefly to the political parties in the Philippines. There are two parties in the Philippines today, the Nationalist party and the Democratic party. Both demand immediate independence. The Nationalist party was organized in 1907 by Sergia Osmeña, Manuel L. Quezon, Rafael Palma and others, and it won every election until 1922. In the previous year a split occurred between Sr. Osmeña, then speaker of the House,⁵⁸ and Sr. Quezon, president of the Senate, as a result of which Sr. Quezon formed a new group called the National Collectivist party, also pledged to work for immediate independence.⁵⁹

Division among the Nationalists permitted the Democratic party to make gains in the election of 1922. Apparently out of concern over these gains, the two Nationalist groups reunited in 1925 under the name of the Consolidated Nationalist party. The new party won an overwhelming majority in the elections of that year and in the elections of June 1928. At present 19 of the 24 members of the Senate belong to the Nationalist party, as do 68 of the 94 members of the House.

In 1926 the two parties established a Supreme National Council for the purpose of prosecuting an independence campaign. As a result of this alliance it was agreed that one of the two resident commissioners at Washington should come from the Democratic party and the other from the Nationalist party. Nevertheless, the two parties have subsequently disagreed on major issues, such as the Belo act,⁶⁰ which was supported by the Nationalists and opposed by the Democrats.

The Democratic party is in part the outgrowth of the old Federal party brought into existence through the influence of Governor Taft—a party which originally stood for admission as a state into the American Union. For the most part Governor Taft

54. *Ibid.*, 1928, p. 30.

55. *Ibid.*, 1927, p. 14.

56. Except for the bureaus mentioned above.

57. For the case of Judge Opisso, cf. *Report of the Governor-General*, 1928, p. 13.

58. In 1928 Sr. Osmeña was elected to the Senate; he is now vice-president of the Senate and of the party. Sr. Quezon is still president of the Senate.

59. *Report of the Governor-General*, 1921, p. 52.

60. Cf. p. 69.

restricted his appointments to Filipinos from this party and hence it came to be dominated by office-holders. In 1907 it changed its name to the Progressive party

and dropped its demand for statehood in favor of independence. In 1916 the Progressives united with other groups to form the Democratic party.⁶¹

THE JONES ACT IN OPERATION

Since the adoption of the Jones act three policies have been followed by the United States in the administration of the Philippines: (1) Governor-General Burton F. Harrison (1913-1921) followed a policy that tended toward complete self-government; (2) Governor-General Leonard Wood (1921-1927), adopting a literal interpretation of the Jones act, established the independence of the American executive and attempted to deprive the Filipinos of the influence over administration which they had secured under the previous régime; (3) Governor-General Stimson, returning to a certain extent to the Harrison régime, established a system of "cooperation" between the Legislature and executive under which the Filipino political leaders have a certain influence over administration. This system is being followed by the present Governor-General, Dwight F. Davis.

THE FIRST PHASE: THE HARRISON REGIME

The Democratic party of the United States has from the beginning been pledged to Philippine independence; and with President Wilson's victory in 1913 and Governor-General Harrison's appointment the Filipinos naturally believed the Islands would be administered with this goal in view. Generally speaking, Governor-General Harrison's régime was marked by three features: (1) the establishment of the principle of parliamentary responsibility in regard to administration; (2) the replacement of American officials by Filipinos; (3) the entrance of the Philippine government "into business."

Previously the Governor-General had appointed Filipinos as heads of government departments for an indefinite term and these appointments were made without reference to the political situation. Although there were five departments in the government, administration was carried on through

about 20 bureaus, some of which reported directly to the Governor-General. Nearly all these bureaus, moreover, were headed by Americans.

PARLIAMENTARY RESPONSIBILITY

Following the passage of the Jones act, the Philippine Legislature enacted a reorganization law, the general purpose of which was to make the administration responsible to the Legislature.⁶² Thus the various bureaus were grouped under six departments as follows: Finance, Justice, Public Instruction (under which is Public Health), Interior, Agriculture and Natural Resources, Commerce and Communications. The law provided that the Governor-General should appoint department heads at the beginning of each new Legislature rather than for an indefinite term. This meant that following each election the Governor-General would submit new appointments, and the Philippine Senate, which approved such appointments, could insist that such department heads be chosen from the victorious party. Except for the Department of Public Instruction, all departmental secretaries were to be Philippine citizens.⁶³ It was also provided that secretaries of departments might be called before either house of the Legislature.⁶⁴ Moreover, executive orders by the Governor-General "as a general rule" were to be promulgated upon the recommendation of the department concerned.⁶⁵

In 1919 the Legislature declared that the power of the Governor-General to supervise departments should be limited to "matters of general policy."⁶⁶

In a regular parliamentary government the leaders of the majority party assume the

62. Cf. *Administrative Code* (Manila, 1926 edition), Chapter V.

63. *Administrative Code*, Section 78.

64. *Ibid.*, Section 80.

65. *Ibid.*, Section 79 (D). Section 79 (F) declared that government contracts involving more than 100,000 pesos must be submitted to the Legislature for approval.

66. Cf. Forbes, cited, Vol. II, p. 261. During this period the Legislature enacted a number of laws requiring officials to obtain the consent of the presidents of both houses of the Legislature before performing certain executive acts.

61. Forbes, cited, Vol. II, p. 108.

responsibility of administering the government, acting collectively as a cabinet. In the Philippines, following the passage of the Jones act, the question arose as to whether Sr. Osmeña, the leader of the Nationalist party and speaker of the House of Representatives, should become Secretary of the Interior and Prime Minister of a cabinet responsible to the Legislature. After long deliberation Sr. Osmeña decided that he preferred to retain his position as speaker.⁶⁷ Whether or not as a result of this decision, observers state that with one or two exceptions⁶⁸ none of the outstanding Filipino political leaders have held administrative positions in the Philippine government. They have therefore not acquired the administrative experience obtained by political leaders under the ordinary parliamentary régime. Moreover, the practice on the part of department secretaries of appearing before the Legislature seems to have been used chiefly in connection with the budget.⁶⁹

Nevertheless, Governor-General Harrison moved in the direction of parliamentary responsibility when he created the Council of State in October 1918. This body contained the six department heads called the Cabinet, the speaker of the House and the president of the Senate. The purpose of the Council was to "advise the Governor-General on matters of public importance." It held weekly meetings at which administrative questions were discussed. Thus it passed upon the budget before the Governor-General submitted it to the Legislature. In short, the Council of State tended to become a cabinet whose advice Governor-General Harrison usually followed. Legislation also required that the consent of the Council of State be given to a number of executive acts.

FILIPINIZATION

In addition to the establishment of Filipino control over the administration, the second feature of the Harrison régime was the supplanting of Americans in the civil service by Filipinos. Some Americans were discharged while others were encouraged to resign by the Osmeña act, which provided

that any government employee who had served for six years could be retired upon application and receive an annual gratuity for three years, provided he resigned before June 30, 1916—or within five months after the passage of the act.⁷⁰

Although in 1913 all but two or three of the bureaus in the government were headed by Americans, in 1921 thirty such bureaus and offices were headed by Filipinos. Americans, however, continued to be heads of the Bureaus of Education, the Mint, Prisons, Forestry, Science, Weather, the Quarantine Service, the Coast and Geodetic Survey and the Metropolitan Water District.⁷¹ Taking the civil service as a whole, the number of Americans declined from 2,148 in 1914 to 614 in 1921; the percentage declined from 23 to 4 per cent.

THE GOVERNMENT IN BUSINESS

The third feature of the Harrison administration was the so-called entrance of government into business. In 1914 the Philippine government bought the Manila Railway, an English enterprise, which, according to Mr. Harrison, had been conducted scandalously.⁷² Because of critical economic conditions created by the World War and the general need of capital, the government also established a National Coal Company, a National Cement Company, a Sugar Central Board, and the Philippine National Bank. In 1919 it organized a National Development Company, with a capital of \$25,000,000, for the purpose of engaging in any commercial and agricultural enterprise necessary to the economic development of the country. The stock of these various companies was voted by a Board of Control, consisting of the Governor-General, the speaker of the House, and the president of the Senate—the two latter being Filipinos.⁷³

As a result of the system of autonomy established by Governor-General Harrison, cordial relations between the American authorities and the Filipino leaders were developed and maintained. Material and social progress were likewise made. School attendance and the mileage of first-class

67. Harrison, *The Cornerstone of Philippine Independence*, cited, p. 304.

68. Senator Rafael Palma, for example, served as Secretary of the Interior while retaining his position in the Senate (1917-1920).

69. For the appearance of the Minister of Finance, cf. *Diario de Sesiones*, 8th Legislature, 1st Session, 1923, p. 235.

70. Daniel R. Williams, *The United States and the Philippines* (Doubleday, Page & Company, 1924), p. 153.

71. Harrison, cited, p. 86.

72. *Ibid.*, p. 256.

73. For the abolition of the Board, cf. p. 67.

roads doubled; irrigation works to serve 150,000 acres and 949 wells were installed. The production of rice greatly increased, largely, according to the Governor-General, because of the appointment of a Filipino as head of the Agricultural Department. Government revenue increased from 18,500,000 pesos in 1913 to 55,500,000 pesos in 1921.⁷⁴

THE WOOD-FORBES COMMISSION

Criticisms of the Harrison administration, however, were numerous. In 1921 President Harding sent a commission, composed of General Leonard Wood and Mr. Cameron Forbes, to investigate conditions; and it reported that the Harrison régime had resulted in a "deterioration in the quality of public service by the creation of top-heavy personnel." The commission declared that there had occurred

"a slowing down in the dispatch of business, and a distinct relapse toward the standards and administrative habits of former days. This is due in part to bad example, incompetent direction, to political infection of the services, and above all to lack of competent supervision and inspection. This has been brought about by surrendering, or failing to employ, the executive authority of the Governor-General, and has resulted in undue interference and tacit usurpation by the political leaders of the general supervision and control of departments and bureaus of the government vested by law in the Governor-General."⁷⁵

Likewise the commission stated that there had been some lowering of standards in the constabulary; a steady increase in the number of preventable diseases; an undue increase in the cost of public works, and deterioration of quality; and a deterioration of the Bureau of Lands and of the courts. Taxation and expenditure were greatly increased.

Mr. Cameron Forbes states:

"With the passage of the Jones law and control of both houses of the Legislature placed in the hands of elective Filipinos, there was a marked falling off in legislative interest in health matters, which reflected itself in a decrease in the appropriation available for vaccine and vaccination against smallpox."⁷⁶

Vigorous criticism, often emanating from the local merchants, was likewise made

against the "government in business." It was declared that in one year the government railway issued 80,000 free passes.⁷⁷ But in defense it is stated that a large proportion of passes were issued to workmen to travel between their homes in Manila and the railway shops in a suburb.

THE PHILIPPINE NATIONAL BANK

The greatest government failure was that of the Philippine National Bank, the story of which, according to the Wood-Forbes report, is "one of the most unfortunate and darkest pages in Philippine history." The Wood-Forbes report declared that the bank had used large sums held for the conversion of currency to make unwise loans. "Much of it was then loaned out to speculative concerns under circumstances which have led to grave doubt as to the good faith of the transactions." Loans were made largely to sugar centrals and coconut factories during the period of boom prices, "and minimum precaution in regard to security was taken, with the result that the bank has allowed its reserves to run down much lower than required by law, and is unable to meet its current obligations. . . . These losses have seriously involved the Philippine Government, and the fact that it has not been able to meet its obligations has seriously impaired its credit." As a result, Philippine currency depreciated about 15 per cent.

While they do not deny that the Philippine bank was mismanaged, Filipinos declare that Americans were responsible for most of the losses—especially for improper speculation—and that the excessive loans of the bank were made, not to Filipinos, but to American corporations.⁷⁸ Generally, they declare that the alleged increase in disease and inefficiency during the Harrison régime cannot be fairly held against the Filipinos. This was an abnormal period, because of the World War, in which conditions in every country in the world were disorganized. Others declare that in view of past experi-

77. Williams, cited, p. 159.

78. One of the later managers of the bank, Mr. Concepcion, was imprisoned because he loaned money to concerns in which he held stock. This was an offense in the Philippines, although not in the United States. ("The Philippine Islands," *Hearings*, 69th Congress, 2nd Session, 1927, p. 94.) A number of other officials were also imprisoned.

74. Harrison, cited, p. 90; Forbes, cited, Vol. II, p. 267, 244.

75. Wood-Forbes Report, cited, p. 23.

76. Forbes, cited, Vol. I, p. 333.

ence an independent Philippine government would not attempt to extend governmental activities in business. It is pointed out, however, that at present a number of these enterprises are making profits.

In his annual reports for 1918, 1919 and 1920, Governor-General Harrison declared that the Islands had achieved the stable government envisaged in the Jones act and, having fulfilled this requirement, were entitled to independence. Because of the World War,⁷⁹ the Filipinos suspended independence agitation; but on March 17, 1919 the Philippine Legislature approved a Declaration of Purposes which asserted that a stable government had been established and that independence should be granted. In 1919 a Philippine independence mission was sent to the United States. In his message of December 7, 1920 President Wilson declared it to be "our duty to keep our promise to the people of those Islands by granting them the independence which they so honorably covet."

With the return of the Republican party to power in the United States, these hopes for immediate independence were dissipated. The Wood-Forbes commission sent to the Islands by the new Republican President declared that the people were "not organized economically nor from the standpoint of national defense to maintain an independent government." Moreover, it said, the experience of the last eight years "has not been such as to justify the people of the United States relinquishing supervision of the Government of the Philippine Islands, withdrawing their army and navy, and leaving the Islands a prey to any powerful nation coveting their rich soil and potential commercial advantages."

The commission concluded by stating that "it would be a betrayal of the Philippine people, a misfortune to the American people, a distinct step backward in the path of progress, and a discreditable neglect of our national duty were we to withdraw from the Islands and terminate our relationship there without giving the Filipinos the best chance possible to have an orderly and permanently stable government."

79. The Filipinos showed their loyalty during the war by organizing a militia in which 28,000 were enrolled. Filipinos served in the army and navy, and the Philippine government voted to build a destroyer and submarine. (Forbes, cited, Vol. II, p. 279.)

THE SECOND PHASE: GENERAL WOOD AND THE JONES ACT

Following the publication of the Wood-Forbes report, President Harding appointed General Leonard Wood as Governor-General. General Wood's first objective was the financial rehabilitation of the Islands. He set to work to restore the finances of the government, which had been shattered by the mismanagement of the bank.⁸⁰ His second objective was to take the government out of business—an objective which he had not succeeded in realizing at the time of his death in August 1927. His third objective was to restore the executive independence of the Governor-General. In other words, he attempted to curtail the control over the administration of the country established by the Filipinos under the Harrison administration, on the ground that such control was illegal and had resulted in inefficiency if not corruption.

For the first two years the Filipino leaders, also desiring the financial rehabilitation of the country, cooperated with General Wood. By 1923 this aim had been to a large extent accomplished.⁸¹ And in July of that year the entire Cabinet and the two legislative members of the Council of State resigned, over the so-called Conley Incident.⁸²

In their letter of resignation the Filipino leaders declared that for some time past it had been the policy of General Wood "to intervene in and control even to the smallest details, the affairs of our government, both insular and local, in utter disregard of the authority and responsibility of the department heads and other officials concerned."

80. In 1927 and 1928 the Philippine National Bank showed a net profit of 4,038,000 and 2,885,000 pesos respectively. Between the passage of the rehabilitation act, in 1924, and 1928 the circulation of the bank was reduced from 32,300,000 pesos to 15,500,000 pesos. In 1927 and 1928 the Cebu Portland Cement Company showed a net profit of 375,000 and 430,000 pesos respectively. The Manila Railroad Company is also in a prosperous condition. By 1928 it had liquidated all but 250,000 pesos of the total of 1,599,000 pesos advanced by the government to enable it to meet the interest on certain bonds. The Manila Hotel Company, moreover, showed profits in 1927 and 1928. (*Report of the Governor-General, 1928*, p. 28.)

81. By 1924 the Wood administration had restored the Philippine currency to the gold standard; it had reduced budget expenditures 35 per cent and brought them within current revenues; it had enacted legislation protecting the sinking funds of the government. (Forbes, cited, Vol. II, p. 314.)

82. Conley was a member of the Manila secret service, against whom charges had been made, as a result of which he was suspended. The Governor-General ordered an administrative investigation, as a consequence of which it was decided that Conley had been guilty of a "frame-up." General Wood then ordered his re-instatement. The Secretary of the Interior and the Mayor of Manila, who claimed to have the power of removal, both resigned. (*Report of the Governor-General, 1923*, p. 37.)

They declared that Governor-General Wood's action in the Conley case was in violation of the law, a "backward step and a curtailment of Filipino autonomy guaranteed by the organic act and enjoyed by the Filipino people continuously since the operation of the Jones law."⁸³

CONFLICT WITH FILIPINO LEADERS

In a resolution of October 1923 the Philippine Legislature asked for General Wood's resignation and declared that the only satisfactory remedy was "immediate and absolute independence." A special Philippine mission thereupon journeyed to Washington, and on January 8, 1924 protested against General Wood's policy and asked for independence. Meanwhile General Wood denied that he had violated any law, adding that he had never disapproved any recommendation of the Philippine secretaries of justice and agriculture. He believed the Filipino protest was simply a pretext to induce the Governor-General to restrict his powers of supervision. President Coolidge supported General Wood in this view. He declared that General Wood had not exceeded his authority,⁸⁴ and that the grievances of the Filipino leaders were not supported by a very large proportion of the people.

The Philippine Legislature replied to this argument in 1925 and 1926 by enacting bills providing for a plebiscite upon the question of independence. The Governor-General vetoed the bills. When the Legislature passed the 1926 bill a second time, it was sent to President Coolidge, who sustained General Wood's action on the ground that a plebiscite would not be convincing; he added that the Philippines were not yet ready for full self-government.⁸⁵

Governor-General Wood declined to submit to the demands of the Filipinos, and as a result between 1923 and the coming of a new Governor-General no Filipinos served as department heads except in the Department of the Interior.⁸⁶ Although Governor-General Wood did not abolish the Council of State, it fell into disuse following the 1923 break. Thenceforth no department secre-

taries appeared upon the floor of the Philippine Legislature.

In order to supervise the administration of the country, General Wood relied upon a number of officers from the United States army, assigned to him for this purpose. This so-called "military cabinet" was the object of adverse criticism, but Governor-General Wood declared that he could not employ civilians as advisers because the Legislature would not make appropriations for this purpose. In a number of cases he attempted to appoint Americans to places formerly held by Filipinos. One of General Wood's most important steps in asserting the independence of the executive power was taken in November 1926 when he abolished the Board of Control which had voted the government stock in government enterprises. The Governor-General declared that the organic act vested supreme executive control in him and that it was unconstitutional for the Legislature to compel him to share his power with the Board of Control. His position on this point was sustained by the Philippine Supreme Court.⁸⁷

Governor-General Wood freely used his veto power, voiding 123 bills between 1922 and 1926, in comparison with 287 bills which he approved.⁸⁸ In 1923 he vetoed a bill remitting the penalty for non-payment of the land tax on the ground that conditions did not justify remission. In passing the bill again by a two-thirds majority, the Philippine Legislature declared that the Governor-General had no right to veto a bill which was "not unconstitutional" and was of "mere domestic concern." President Coolidge upheld the veto, declaring that there was no ground for the contention that the veto power was limited to a particular class of bills.⁸⁹

THE INDEPENDENCE FUND

Another dispute arose in 1924 when the American auditor asserted the independence

87. Three Filipino judges dissented on the ground that the voting of stock was a private function and could therefore be delegated to the Board of Control by the Legislature. For the text of the judgment, cf. *Report of the Governor-General, 1927*, p. 30.

88. *Ibid.*, 1926, p. 38.

89. *Ibid.*, 1923, p. 60. Before 1916 the Governor-General had no veto power. But as long as the Commission or Second Chamber was in American hands, the Governor-General had an indirect veto. In 1913 the Filipinos were given a majority in the Commission and this lessened the control of the Governor-General.

83. *Ibid.*, p. 35.

84. For President Coolidge's letter to Sr. Roxas, February 21, 1924, cf. *Ibid.*, p. 45.

85. For letter of April 6, 1927, cf. *ibid.*, 1927, p. 63.

86. The work of the departments was, however, carried on by Filipino under-secretaries.

of the American executive by holding unconstitutional the so-called Independence Fund of one million pesos—which was a standing appropriation of the Legislature. The auditor vetoed it on constitutional grounds and stated among other things that since members of the Legislature had taken an oath of allegiance to the United States they could not legally appropriate money for the “express purpose of abrogating the existing form of government under which the sovereignty of the United States is exercised.”⁹⁰ The Filipinos replied by organizing a campaign for voluntary subscription to an independence fund which by March 1925 reached a total of nearly 636,000 pesos.⁹¹

Not only did the Filipino leaders decline to act as department heads, as a means of showing their opposition to General Wood's policy, but the Legislature also refused in some cases to pass legislation desired by the Governor-General; thus in 1924, 1925 and 1926 it declined to make appropriations to pay salaries of certain American officials. In order to retain them, the administration had been allowing them to serve in two positions. Thus the insular auditor had also been allowed to be examiner of banks, receiving a salary for both positions. Americans in the Philippine health service had also been permitted to supplement their salaries by private practice. The Legislature passed a law forbidding such practice in the case of persons drawing a salary of \$2,000 or more, while it would have eliminated the salary of the bank examiner had the measure not been vetoed.⁹²

The Legislature restricted the appropriations for the cutter *Apo*, thus “imperilling” the inspection work of the Governor-General.⁹³ In 1927 it protested against Governor-General Wood's proposal for alienating government-owned properties without the previous approval of the Philippine Legislature.⁹⁴ Likewise the Senate declined in many cases to approve nominations of the Governor-General.

Despite these obstacles General Wood continued to carry on the administration, some-

times resorting to *ad interim* appointments to avoid the Senate veto. A tense political situation and a condition of deadlock resulted from this conflict. The Filipinos showed their feeling by naming a square in front of the Governor-General's office “Independence Square.”

STRENGTHENING THE AMERICAN EXECUTIVE

In 1926 Mr. Carmi Thompson made an investigation in the Islands for President Coolidge, and he reported that under existing conditions business was “practically at a standstill” and “no constructive legislation” was possible. He suggested that General Wood's military advisers be supplanted by civilians.⁹⁵

The government at Washington attempted in 1926 and 1927 to strengthen the hand of the American executive of the Philippines. It proposed new legislation having three objects: (1) an increase in the salaries of the officials appointed by the President of the United States so as to attract and retain the services of able men; (2) the strengthening of the auditor's power, and the appointment of an additional assistant auditor; and (3) the appointment of a number of civilians to assist and advise the Governor-General in such matters as banking, law, foreign affairs, trade, science, public health and in the inspection of general administrative activities. In order to make these assistants independent of the Philippine Legislature, it was proposed to pay their salaries from the internal revenue collected upon Philippine products in the United States.⁹⁶ Since 1902 the American government had turned back this fund to the Philippines and had placed its expenditure in the hands of the Philippine Legislature. Within recent years this fund has realized to the Philippine treasury between \$600,000 and \$900,000 annually.⁹⁷

The War Department declared that this internal revenue fund was an “unequivocal donation of the United States money to the Philippines” and that consequently Congress

90. *Ibid.*, 1924, p. 30.

91. *Ibid.*, p. 2. The Legislature appropriated 85,000 pesos in 1930 to send a committee to the United States to submit petitions to Congress. (Philippine Budget for 1930, p. 40, 46.)

92. Cf. “The Philippine Islands,” *Hearings*, 69th Congress, 2nd Session, 1927, p. 19.

93. *Ibid.*, p. 14, 18, 103.

94. *Official Gazette*, April 3, 1928.

95. Senate Document No. 180, 69th Congress, 2nd Session, p. 15.

96. It was provided to appropriate part of this sum for the education of American children in the Philippines.

97. “The Philippine Islands,” *Hearings*, April 1926; February 1927; “Employment of Certain Civilian Assistants in the Office of the Governor-General of the Philippine Islands,” House Report No. 771, 70th Congress, 1st Session.

might withdraw it from the control of the Manila Legislature, for the payment of the salaries of the new assistants, or for any other purposes.⁹⁸

Mr. Henry L. Stimson, before taking up his duties as Governor-General in succession to General Wood, made known that he favored this plan for civilian assistants.⁹⁹ In February 1928 the House Committee on Insular Affairs reported the Kiess bill, increasing the salaries of American officials in the Islands and setting aside \$125,000 out of the internal revenue fund for the purpose of employing civilian advisers to the Governor-General.¹⁰⁰ In the following month Mr. Stimson, who had only recently assumed his duties as Governor-General, issued a statement in Manila in support of the Kiess bill; but declared that its purpose was not the establishment of a supercabinet.¹⁰¹

THE BELO ACT

From the beginning this proposal for a staff of civilian advisers, dependent not upon the local Legislature but upon the American Congress, met the opposition of the Filipino leaders. They declared that any such system would reduce the Filipino department secretaries to the position of figureheads. Moreover, they declared that it was incorrect to say that the American Congress had refunded internal revenue to the Philippines as a "gift," and hence could freely take it away. They declared that this fund had been turned over to the Philippines in 1902 in return for the repeal of a Philippine export tax which certain American producers disliked. The fund therefore was an integral part of Philippine revenue.¹⁰² As a compromise the Legislature itself appropriated a fund of 150,000 pesos for the employment of the new advisers. But believing that they should be removed completely from local control, the Acting Governor-General vetoed the measure.¹⁰³ Nevertheless, the feeling of the Filipinos was so strong that the Kiess bill and other measures would result in a

diminution of local autonomy that a compromise had finally to be arranged. In this compromise Governor-General Stimson declared his willingness to accept a standing appropriation for the advisers from the local Legislature. After a vigorous debate, in which the measure was opposed by the Democratic party, the Philippine Legislature voted on August 8, 1928, the so-called Belo act.¹⁰⁴ This act provided for a standing appropriation of 250,000 pesos for the employment of civilian assistants to the Governor-General and of the personnel needed in case of epidemics, public calamities, or other grave emergencies. Any unexpended balance would revert at the end of the year to the general funds. With the acceptance of the Belo act by the Governor-General, the Philippine proposals in Congress were abandoned.

In an effort to set at rest Filipino fears that the inspectors and technical assistants authorized in the Belo act would encroach upon local self-government, Governor-General Stimson declared in a statement of August 8:

"The evident purpose of the statute is to provide for the employment of men whose duties will not be administrative in character but will be limited to giving advice upon technical matters or assisting the Governor-General in those informative and supervisory functions to accomplish which he is now without any adequate means. Administration is placed by law in other hands, namely, in the heads of the six executive departments and their subordinates. To attempt to form a supercabinet of administrators with this appropriation, in my opinion, would be not only contrary to public opinion both in the United States and in these Islands, but clearly illegal. It is inconceivable that it would be attempted."

The purpose of the statute was just the opposite—namely to develop autonomy subject to investigation and inspection, when necessary. Mr. Stimson concluded: "I regard the measure as one of the most important forward steps which have been taken in the development of responsible government in the Philippines."

THE THIRD PHASE: THE STIMSON REGIME

In August 1927 General Wood died and President Coolidge appointed Mr. H. L. Stimson as his successor. Governor-General

98. "The Philippine Islands," *Hearings*, 69th Congress, 2nd Session, 1927, p. 13.

99. Cf. his letter of February 4, 1927 to Congressman Kiess, *ibid.*, p. 87.

100. Report No. 771, cited, 70th Congress, 1st Session.

101. *Report of the Governor-General, 1928*, p. 37.

102. "The Philippine Islands," *Hearings*, 69th Congress, 2nd Session, 1927, p. 74.

103. Appropriation Act, year ending December 31, 1928, p. 23, 268.

104. *Official Gazette*, No. 3431, August 28, 1928.

Stimson arrived in the Islands in March 1928 and remained about a year.¹⁰⁶ His policy was (1) to bring about a program of economic development¹⁰⁷ and (2) without committing himself to independence, to re-establish cordial relations between the Philippine Legislature and the American authorities. His first act to achieve the latter aim was to abandon his former support of the Kiess bill in favor of the Belo act.

At present there are about half a dozen advisers to the Governor-General, popularly known as the "Belo Boys." These include legal, agricultural and shipping experts, medical advisers, and an executive officer; their contracts are usually for one year.¹⁰⁸ While Filipino department heads may possibly have had more discretion under Mr. Stimson than under General Wood, it is understood that, if anything, there was more inspection of the administration under General Wood than under his successor. It is believed that the value of the "Belo Boys" will depend upon their willingness to remain permanently in the Islands.

Despite the appointment of these assistants, the Governor-General indicated his intention of not interfering with the administration of departmental affairs entrusted to Filipino officials, except in serious matters. This became evident in the Cornejo case, when a Filipino appealed to the Governor-General to suspend a sale which was being conducted by the Bureau of Lands. Mr. Stimson declined to do so on the ground that "the great power of supervision and control over the executive functions of government which [the] organic law imposes upon me should ordinarily not be invoked to interfere with the conduct of government by my subordinates, unless they have been guilty of some misconduct or neglect deserving of grave reprehension or even removal from office."¹⁰⁹

The second step toward establishing "organized governmental machinery for co-operation" between the executive and legislative branches of the government was the appointment of the secretaries of five government departments from members of the

party successful at the last election, after conference with the leaders of that party. Comparing the administration after the establishment of this Cabinet with that existing under General Wood, Mr. Stimson declared that "the change wrought by their appointment was little short of revolutionary."

As a third step toward parliamentary responsibility, the practice was revived of giving members of the Cabinet the privilege of speaking on the floor of both houses of the Legislature on subjects relating to their departments.¹¹⁰

Finally, in August 1928, the Council of State (composed of the six department heads, the president of the Senate, the speaker of the House, and the majority floor leaders of the Senate and the House) was restored. Although this Council was not now given the administrative duties it had exercised under the Harrison régime, under which the Filipino members could outvote the Governor-General, it was authorized to give its advice on legislative and administrative matters. Thus, bills reported by legislative committees or passed by either house were discussed at a meeting of the Council of State; if any objections were offered by the Governor-General, the bill was usually amended or held for further consideration. The result of this form of cooperation was to do away with the veto of bills by the Governor-General, except for a number of bills passed during the last day of the session.

Such were the four steps taken by Governor-General Stimson to restore co-operation between the Legislature and the executive, and to give the Legislature an influence, or at least a right to be heard, in regard to administrative matters. As a result of these steps, Governor-General Stimson declared that under the present organic act "there is sufficient flexibility for the

106. He left to become Secretary of State in the Hoover administration.

107. Cf. p. 53.

108. R. S. Hawkins, "Belo Boys' Replace the Cavalry Cabinet." *The Independent* (Manila), November 30, 1929.

109. Cf. Letter of April 7, 1928, *Report of the Governor-General*, 1928, p. 31.

110. Governor-General Stimson asserts that the rules of procedure of the two houses were amended in this respect. This statement does not seem to be accurate as far as the House of Representatives is concerned, since the rules of this body have contained such a provision since 1916. (Cf. *Reglamento de la Camara de Representativos con la ley Jones*, Octava Legislatura Filipina, Manila, 1928, p. 45.) It is true, however, that the rules of the Senate did not contain such a provision before 1928, although such a provision had been embodied in the law of departmental reorganization for both houses. (Cf. p. 63). In 1928 the Senate amended its rules to conform with this law. (Cf. Sr. Laurel, *Diario de Sesiones*, 1928, p. 404.) Following the break with General Wood, it seems that the practice of appearing before either house fell into disuse. In 1924 General Wood instructed the Secretary of the Interior, who had remained in the Cabinet, that he was not obliged to answer a summons to appear before the Senate.

working out of Filipino autonomy through the development of a responsible cabinet system which will be both satisfactory to the natural Filipino desire for such administrative autonomy and which, at the same time, will preserve the safeguards against possible mistakes and setbacks which may come in that process."¹¹¹

ACTUAL EXTENT OF SELF-GOVERNMENT

At the present time, Filipinos occupy all positions in municipal and provincial governments in the Philippines except in three non-Christian provinces where there are American governors.¹¹² But local administration is under the close supervision of the Filipino Secretary of the Interior in Manila, who in turn is responsible to the Governor-General, an American.¹¹³ In the central government the Philippine electorate elects all but a few of the members of both houses of the Legislature; five of the six department heads are Filipinos; altogether there are about 20,000 Filipinos in the government service. The only department headed by an American is the Department of Public Instruction, which includes the Bureau of Public Health; this is headed by the Vice-Governor. The auditor is also an American. A number of the 30-odd bureaus grouped under the various departments are also headed by Americans now, as in the case of the Bureaus of Education, Agriculture, Forestry, Science, Public Works, and Coast and Geodetic Survey.¹¹⁴ Moreover, the chief of the constabulary, the head of the constabulary academy and the district commanders in the districts of Northern Luzon, Mindanao and Sulu, are Americans. In the past, however, a non-Caucasian held the position of commander of the constabulary.¹¹⁵

Altogether there are 503 Americans and 20,147 Filipinos in the government service. Of the Americans, about three-fifths are em-

ployed, mostly as teachers, in the Bureau of Education.¹¹⁶

Except for these positions, the actual administration of the entire Philippine government is in the hands of the Filipinos. But these Filipinos are subject to a series of checks, beginning with the courts. While all of the 800 justices of the peace, and all but two of the 55 judges of the courts of first instance are Filipinos, the Supreme Court is now composed of a majority of Americans, and the court as a whole is appointed by the President of the United States. A second and more important check upon the administration is continuously exercised by the Governor-General, the Vice-Governor, the auditor and the assistant auditor, appointed by the President of the United States.¹¹⁷ The Governor-General's assistants—the "Belo Boys," who are his "eyes and ears"—may inspect the administration of any Philippine department and report to the Governor-General. The auditor maintains control over all expenditures of the local and central governments. In other words, while the Filipinos perform the daily work of government in the Islands, they are subject to the check of American judicial and executive authority. It is stated, however, that Americans are so few in number that the checks are not very effective, especially under a Governor-General not familiar with conditions.

Despite this check a number of "scandals" in administration have recently appeared. In August 1928 a series of frauds in the conduct of the bar examinations conducted under the general supervision of the Supreme Court was revealed. As a result of investigations about 20 convictions were obtained, while several employees, including three private secretaries of the justices, were dismissed.¹¹⁸ Following an adverse judgment as to the extent of his powers in the Tan C. Tee case, Auditor Ben F. Wright resigned, declaring that the government "was honeycombed with graft and corruption."¹¹⁹ About this time administrative

111. Mr. Stimson's policy was not praised by all Filipinos. Thus General Aguinaldo declared that Mr. Stimson ignored those Filipinos who had supported General Wood; and that his policy was therefore a victory for the "politicians." (*Manila Bulletin*, December 19, 1929.)

112. These governors are Carl M. Moore, Sulu; John C. Early, Mountain; John J. Jeffington, Lanao. (*Official Gazette*, 1928, p. 1060.)

113. There is nothing in the organic act to prevent the President of the United States from appointing Filipinos to the position of Governor-General, Vice-Governor, auditor, assistant auditor, or justices of the Supreme Court. The President has already appointed Filipinos as justices.

114. *Official Gazette*, 1928, p. 3269.

115. Cf. p. 42.

116. *Twenty-Ninth Annual Report of the Director of Civil Service*, 1928, p. 29. There are 31 Americans in the constabulary; 12 in the provincial service; 20 in public works; 47 in the police department of Manila. Nine are in the Philippine Health Service. The salaries of the 503 Americans in 1928 were \$2,123,335; of Filipinos, \$25,080,081.

117. Before appointing the last two Governors-General, the United States government has first consulted the Filipino leaders.

118. *Report of the Governor-General*, 1928, p. 31.

119. Cf. his letter, *Independent*, July 13, 1929.

investigations into conditions in the Bureau of Posts, Commerce and Industry were undertaken. In December 1929 an investigating committee reported that during the last five years the head of the Bureau of Posts had misappropriated several hundred thousand dollars; in the same month a court sentenced the chief of the stamp section of this bureau to ten years' imprisonment for the misappropriation of postage stamps.¹²⁰

Following these various revelations it was announced that more rigorous auditing methods would be introduced, and that 28 additional assistant auditors would be employed.¹²¹

Two views of these scandals have been expressed by local leaders. One view is that they have been the result of Mr. Stimson's policy of "cooperation." The *Independent*, a local paper, declares: "When there is cooperation in the country, the auditors are helpless to go after those guilty of prevarication, of malversation and want of scruples in the management of public revenues."¹²²

An opposite view was expressed by Sr. Manuel Quezon, who declared that while these abuses had been going on a long time, they were discovered and brought to light only after Governor-General Stimson invited the party leaders to become department heads. General Aguinaldo, moreover, declared that, "paradoxical though it may seem," he would "even venture to state that the quickest way to curtail the abuses, the graft and corruption that now exist in the Islands would be to set us free. Then every one would realize the tremendous responsibilities upon our shoulders."¹²³ It is asserted that most of these corrupt practices grew up during the Wood régime when there were no responsible secretaries in office.¹²⁴

THE REVIVAL OF THE INDEPENDENCE ISSUE

Mr. Stimson's policy of "cooperation" and his insistence upon the necessity of economic

development for a time led to a cessation of the demand for immediate independence.¹²⁵ In an address to the Philippine Agricultural Congress, Sr. Manuel Quezon declared that the people should not abandon their efforts for material well-being. "The power to dominate the world," he told them, "is passing into the hands of nations most advanced industrially." In April 1929 he declared that he was "getting tired" of the word independence.¹²⁶ "If I can get actual independence by not using such a word I will proceed to use the arguments in a new language." Likewise another important leader, Speaker Osmeña, made a speech upon his return from the United States, in September 1929, in which he cited the example of Canada as one which would give the Philippines "ample autonomy." While he added that independence would definitely solve Philippine problems, he intimated that such independence could only be gradually realized.¹²⁷

These statements at once led to criticism from various elements, such as the *Independent*, which accused the political leaders of having been won over "to the cause of foreign domination." Nationalist sentiment was strengthened by the agitation within the United States in favor of a duty on Philippine sugar and other products.¹²⁸

Failing in their effort to secure such a tariff restriction, a number of interested organizations, such as the American Farm Bureau Federation, the National Grange, the Southern Tariff Association, the Domestic Sugar Producers' Association, the Texas Cotton Oil Crushers' Association, the National Dairy Union and the Beet Sugar Association, declared in favor of complete independence.¹²⁹

THE KING AMENDMENT

The strength of this movement was illustrated by the narrow defeat of the King amendment in favor of complete independence by the Senate on October 9, 1929. This

120. *Manila Herald*, December 19, 1929; *Manila Bulletin*, December 18, 1929. Although through administrative investigation it had been found that a superintendent of marine at Engineer Island had been misappropriating government property, the court acquitted him of the charge. It was stated that in the trial the prosecuting attorney had withheld the most important evidence.

121. *Manila Herald*, December 19, 1929.

122. *Independent*, July 13, 1929.

123. Cf. Mr. John's interview, *Manila Bulletin*, December 21, 1929.

124. *Independent*, September 14, 1929. During the five previous years the work of the departments had been conducted by under-secretaries, cf. p. 67.

125. Cf. Mr. Stimson's statement, "Tariff Readjustment," cited, 1929, p. 10637.

126. Quoted, C. C. Batchelder, *New York Herald Tribune Magazine*, October 6, 1929.

127. *Tribune* (Manila), September 6, 1929.

128. Cf. p. 48.

129. In January 1930 the Kentucky House of Representatives passed a resolution in favor of independence. In the debate it was stated that the free entrance of Philippine hemp into the United States had killed the Kentucky hemp industry. (*New York Herald Tribune*, January 30, 1930.)

was an amendment to the tariff bill and while it was defeated by 45 to 36 votes, at least six senators declared that they voted against the amendment not because they were opposed to independence but because they thought it should be granted as a separate measure. If these six had voted the other way, the proposal for Philippine independence would have carried the Senate by a vote of 42 to 39.¹³⁰

The vote on the King amendment, along with the agitation against Philippine products and Filipino laborers, at once aroused opinion in the Islands. A number of Filipinos—outside of political circles—organized a League for Philippine Independence—a body which seemed to duplicate the Philippine Independence Commission.¹³¹ The recognized Philippine political leaders, who

for a time had accepted Mr. Stimson's attitude that political discussion should be postponed until after an economic program had been worked out, now revived the cry for complete independence; and an independence mission, consisting of Sr. Manuel Roxas, speaker of the House, and Sr. Pedro Gil, minority leader, journeyed to the United States where, in 1930, they asked Congress "to recognize the independence of the Philippines at an early date."¹³²

Meanwhile an intensive independence campaign was organized in the Philippines. The First Independence Congress was held in Manila February 22-26, 1930, upon the initiative of private citizens. It was composed of representatives of business and agriculture, educators, students, labor leaders, non-Christian Filipinos and elective officials.

PART V

ARGUMENTS FOR AND AGAINST INDEPENDENCE

STRENGTH OF THE INDEPENDENCE MOVEMENT

The first argument in favor of independence for the Philippines is that the great majority of the Filipinos desire it. They fought a war against Spain for this purpose, and they fought a similar war against the United States at the beginning of the American occupation.¹³³ In 1910 Governor-General Forbes referred to "the almost universal desire for independence" in the Islands. In 1924 Governor-General Wood declared that "the bulk of the people want independence at some future time and, generally speaking, under our protection."¹³⁴ Moreover, the Philippine Legislature annually passes a resolution, by unanimous vote, in favor of complete independence.¹³⁵ Philippine municipalities also pass such a resolution annually. In 1919, 1922, 1923, 1924, 1925 and 1930 independence missions

were sent to the United States.¹³⁶ In 1929 a convention of Filipino business men, which met for the first time, passed a resolution stating that whereas it had been said repeatedly that "only the politicians clamor for Philippine independence," the national convention of Filipino business men wished to state that they "strongly favor the national aspiration for independence and are ready to cooperate in the common task for the liberation of the country." In the same year an agricultural congress adopted a similar resolution. The Filipino Catholic priests and the Confederation of Evangelical Churches both have recently gone on record in favor of independence. In December 1929 an Association of Veterans of the Revolution, of which General Aguinaldo is president, passed a resolution asking for "the immediate restoration of the Philippine republic."¹³⁷ Although the view of American officials usually has been that the Moro population is opposed to independence, Philippine leaders point out that the Moro representatives in the Legislature invariably vote for the annual independence resolution.¹³⁸

130. Cf. *Congressional Record*, October 9, 1929, p. 4399.

131. An official body established in 1918.

132. "Independence for the Philippine Islands," *Senate Hearings*, 71st Congress, 2nd Session, 1930, p. 6. Mr. M. C. Briones, majority leader of the lower house, later joined the mission.

133. Cf. p. 41. For the testimony of the Schurman commission in 1899 as to the desire for independence, cf. Forbes, cited, Vol. II, p. 334.

134. A similar statement had been made by the Wood-Forbes commission in 1921. (*Ibid.*, p. 335; *Report of the Governor-General, 1925*, p. 34.) In 1926 Carmi Thompson reported that there was "widespread and insistent agitation for immediate, complete, and absolute independence."

135. For a collection of these resolutions, 1908 to 1916, cf. *La Independencia como Aspiración Nacional*, Asamblea Filipina Document No. 6753-A 3. For the resolution of July 27, 1928 asking immediately for "complete and absolute independence," cf. *Official Gazette*, 1928, p. 3137.

136. Filipino leaders have also come to the United States in connection with other matters, such as the appointment of a Governor-General or the Timberlake sugar restriction resolution. Cf. p. 48.

137. "Independence for the Philippine Islands," *Senate Hearings*, 1929, p. 41, 61; *Philippine Herald*, December 21, 1929.

138. "Independence for the Philippine Islands," *Hearings*, p. 41, 56.

On the other hand, it has been frequently contended that the silent mass of the people, fearing exploitation by a native oligarchy, secretly hope that the United States will not leave the Islands.¹³⁹ Filipinos reply that the way to test actual sentiment is by means of a plebiscite, the proposal for which the United States has vetoed. Moreover, it may be pointed out that history has often shown it to be the case that colonial powers underestimate the strength of the demand for freedom in their possessions.

AMERICAN COMMITMENTS

In the second place, it is argued that the Philippines should be granted independence in view of repeated promises made by spokesmen of the United States. Thus Presidents Taft, Roosevelt and Wilson have all encouraged the Filipinos in their aspirations for independence,¹⁴⁰ and the Congress of the United States in the preamble to the Jones act of 1916 declared that it was the purpose of the people of the United States to "withdraw their sovereignty over the Philippine Islands and to recognize their independence as soon as a stable government can be established therein."¹⁴¹ Even President Harding, who supported General Wood's efforts to overthrow Governor-General Harrison's system of semi-responsible government, declared in 1922: "I can only commend the Philippine aspirations to independence and complete self-sovereignty." And again, "No backward step is contemplated. No diminution of your domestic control is to be sought."

139. For President Coolidge's view, cf. *Report of the Governor-General, 1925*, p. 30.

140. In a message to Congress of January 21, 1908, President Roosevelt declared: "The Filipino people, through their officials, are therefore making real steps in the direction of self-government. I hope and believe that these steps mark the beginning of a course which will continue till the Filipinos become fit to decide for themselves whether they desire to be an independent nation."

Mr. William Howard Taft, when Secretary of War, declared in January 1908: "It (the United States policy toward the Philippines) necessarily involves in its ultimate conclusion as the steps toward self-government become greater and greater, the ultimate independence of the Islands, although, of course, if both the United States and the Islands were to conclude after complete self-government were possible that it would be mutually beneficial to continue a governmental relation between them like that between England and Australia, there would be nothing inconsistent with the present policy in such result. . . ."

President Woodrow Wilson declared, in a message to Congress in December 1913: "We must hold steadily in view their ultimate independence, and we must move toward the time of independence as steadily as the way can be cleared and the foundations thoughtfully and permanently laid."

141. It is pointed out that the requirement of "a stable government" laid down in this preamble is meaningless, inasmuch as a stable government existed in the Philippines long before the Jones act was passed.

FILIPINO COMPETENCE

The third argument in favor of independence is that the Philippine people are able to maintain a stable government. For a number of years Filipinos have occupied all the positions in the local administrations and the vast majority of positions in the central government. All the members of the Legislature are Filipinos. The interest of the people in politics—an essential of democracy—is shown by the fact that the percentage of voters actually going to the polls is sometimes twice as large in the Philippines as in the United States.¹⁴²

There are racial and linguistic differences among the people, but these differences, it is urged, should be no greater handicap to self-government than they are in such bilingual or multi-lingual countries as Egypt, Iraq, Switzerland, Yugoslavia or Czechoslovakia. Mr. Cameron Forbes, although he is not in favor of independence at this time, writes of the Filipino people:

"It is of course true that the difference in language makes common understanding more difficult. But the fact is that the people are all reasonably similar in type, generally so in religion, have the same ideals and characteristics, and are imbued throughout with a great pride in their race and desire for its advancement which should make them capable, under a common language, of being welded into a united and thoroughly cohesive body politic. The tribal differences, marked mostly by language and also by geographic bounds, should not be in any way an insuperable bar to the development of a people capable of nationality. Those who question Filipino capacity should look for arguments against it in other directions than that of language or of tribal division."¹⁴³

While the proportion of literacy in the Philippines is only 50 per cent, it is nevertheless higher than in such independent countries as China, Colombia, Mexico, Brazil, Nicaragua, Portugal, Venezuela, Russia, Santo Domingo, Egypt, Haiti, or Guatemala.¹⁴⁴

Moreover, the history of many countries shows that widespread literacy has often followed rather than preceded self-government. Thus, although parliamentary gov-

142. Cf. p. 60.

143. Forbes cited, Vol. I, p. 24.

144. "Illiteracy in the Several Countries of the World," Abel and Bond, U. S. Department of the Interior, Bureau of Education, 1929, p. 36 ff. This study estimates that 62 per cent of those who are 10 years of age and older in the entire world are illiterate.

ernment in England dates back to the time of Walpole, in 1845 an education committee reported that only 16 per cent of the children of school age were able to read the Bible, while the rest could not even spell their names. Moreover, the English elementary education act of 1870 was passed three years after rather than before the reform act of 1867 which added one million voters to the electorate. It is interesting also to note that officials opposed granting responsible government to Cape Colony on the ground of lack of education among Europeans; and that the Durham Report declared that the inhabitants of Canada were "almost universally destitute of the qualifications even of reading and writing."¹⁴⁵

It is stated that the United States is not justified in exacting perfection from the Philippines as a condition of independence. Corrupt or inefficient administrations exist in many independent countries in the world, including certain states and municipalities within the United States. The only sound criterion of independence, it is argued, is whether a Philippine government will be able to maintain a reasonable standard of law and order and live up to its international obligations. The *New Republic* recently expressed the opinion that the "Filipinos today are as competent to run their own affairs as are the Nationalists of China and, for that matter, most of the independent governments of Latin America and Central Europe."¹⁴⁶ Filipinos admit that there has been graft in their administration, but they declare that conditions will be rectified only when Filipinos are fully responsible for the administration of their country. Generally they believe that freedom will release forces of energy and initiative which are now restrained by alien rule.

It is probable, moreover, that an independent Philippine government would be willing to follow the example of many other newly established governments and employ foreign advisers in such matters as finance, health and education. The Filipinos realize that they cannot hope to protect themselves from outside attack by force of arms any more successfully than the smaller States of

Europe. Nevertheless, they believe that their international safety would be guaranteed by the admission of the Philippines into the League of Nations. Others believe that since the United States is not a member of the League, it would be desirable for the United States, Japan, France, and the British Empire, and possibly Russia and China to enter into an agreement to neutralize the Philippines.¹⁴⁷ Should internal revolution then occur, foreign intervention presumably could not take place except by agreement among the treaty powers.

THE PHILIPPINES A LIABILITY

The fourth argument in favor of the independence of the Philippines is that they are more of an economic and financial liability than an asset to the United States. The duty-free entrance of Philippine products into the United States is alleged to injure the American farmer,¹⁴⁸ while the unrestricted immigration of Filipino laborers is causing trouble on the Pacific Coast. From the standpoint of trade, only 1.43 per cent of our exports in 1927 went to the Philippines. In 1927, 35 foreign countries and each of our overseas territories purchased more from the United States in proportion to their population than did the Philippines.¹⁴⁹ Dr. Rufus S. Tucker estimates that the total gain from the Philippines to all classes of American citizens, whether in profits from commerce, investments or personal service, is less than \$10,000,000 a year.¹⁵⁰ On the other hand, the occupation of the Philippines, instead of bringing in additional income to the United States government, subjects it to an annual charge of at least \$4,000,000 a year, excluding interest upon the cost of acquisition. Independence would mean the saving of this sum, and about \$22,000,000 now expended annually by American consumers upon Philippine products (not including sugar) which enjoy a protected position upon the American market. The net loss to the United

145. These instances are taken from the *Report of the Indian Central Committee, 1928-1929*, Cmd. 3451, p. 15.

146. "Independence for the Philippines?" *New Republic*, April 9, 1930.

147. The neutralization of the Philippines was discussed in the *Atlantic Monthly* for September 1910 (C. F. Wicker, "The United States and Neutralization"); cf. also *Congressional Record*, May 1, 1916, p. 7203.

148. Cf. p. 72.

149. R. S. Tucker, "A Balance Sheet of the Philippines," *Harvard Business Review*, October 1929.

150. The total American capital in the Philippines is placed at \$152,000,000—of which \$68,000,000 is in tax-exempt government bonds.

States on account of the Philippines is therefore said to be at least \$26,000,000 a year.¹⁵¹

Others believe that the Philippines are also a moral liability to the United States. If we refuse to heed their request for independence at a time when subject races everywhere are demanding and receiving freedom, the United States will be charged with being an "imperialist" power. It is argued that if the United States, after proclaiming for 25 years that Philippine independence is its object, should now adopt an anti-independence attitude, it would injure American prestige among politically dependent people everywhere. On the other hand, it is stated that "an independent Philippines will be a monument to America's unselfishness,"¹⁵² and an incentive to a more sympathetic attitude by colonial powers toward subject races in every part of the world. These races cannot be indefinitely held in subjection and an enlightened policy in the Philippines may prevent inter-racial difficulties in other territories in the Orient.

STRATEGIC DIFFICULTIES

The final argument in favor of independence for the Philippines is that it would terminate the strategic difficulty which the occupation of these Islands imposes upon the United States. At present the American naval program is laid down with a view to the defense of the Philippines against outside attack. The Japanese, however, believe that in view of the distance of the Philippines from the United States, an American navy large enough to defend the Islands would be large enough also to attack Japan. Thus the problem of defending the Philippines has created a difficulty between the United States and Japan.

A large number of authorities believe that, regardless of the size of the American navy, the Philippines could not possibly be defended by the United States at the outbreak of war. Former President Roosevelt wrote in 1914 that in case the United States were attacked by a foreign power, the Philippines would be our "heel of Achilles."

Secretary of War Garrison and Senator Henry Cabot Lodge in 1915-1916 declared that the Philippines are a military liability to the United States. General J. Franklin Bell declared in 1913 that "the possession of the Philippine Islands is not in the slightest degree necessary to the welfare of the United States in so far as the military or strategical requirements are concerned. They are an absolute military weakness to the United States."¹⁵³ Secretary of War Weeks declared in 1924: "If I were going to view this question entirely from [the standpoint of] military or other benefits to the United States, I would say let the Philippines go."¹⁵⁴ General Enoch Crowder is reported to have declared: "The plans of the General Staff provide that in case of war any attempt to keep a traffic lane open between the Philippines and the United States would be promptly abandoned."¹⁵⁵

ALIENATION OF TERRITORY UNCONSTITUTIONAL

The first argument against independence is that it is unconstitutional to alienate territory of the United States. This argument seems to have been developed most fully by Judge Daniel R. Williams. He declares that the United States now possesses "complete and absolute sovereignty and dominion over the Philippines." In acquiring the Philippines, the Federal government acted simply as a trustee of the people of the United States. The only authority of Congress over the Islands is to "make needful rules and regulations respecting the territory of the United States," and the alienation of sovereignty cannot be regarded as incidental to this power—in fact such alienation would destroy the "very thing over which legislation is authorized." The power to alienate sovereignty can therefore be exercised by Congress only after having been expressly authorized to do so by a constitutional amendment. Judge Williams cites in support of his contention a statement of Governor Edmund Randolph in the Virginia state convention called in 1788 to ratify the Federal constitution to the effect that "there is no power in the Constitution

151. For the alleged gain to the Philippines from the present connection, cf. p. 78.

152. "Independence for the Philippine Islands," *Senate Hearings*, p. 7.

153. Forbes, cited, Vol. II, p. 411.

154. "Philippine Independence," *Hearings*, 1924, p. 57.

155. "Lobby Investigation," *Hearings*, 1930, p. 1703. Cf. p. 78 for an opposite view.

to cede any part of the United States."¹⁵⁷ Moreover, there does not seem to be any clear-cut case where Congress has actually alienated territory.¹⁵⁸

An opposite point of view was expressed by the Attorney-General of the United States in 1924, who declared that Congress had the power to grant complete independence to the Philippines, since under the Constitution it had complete control over territories. Moreover, he said, the Philippine Islands had never been incorporated into the United States.¹⁵⁹ Judge Malcolm of the Supreme Court of the Philippines has come to the same conclusion.¹⁶⁰ Professor W. W. Willoughby, in his recent treatise on constitutional law, declared that "the United States is a sovereign power, and, except as expressly limited by the Constitution, is to be viewed as possessing within the field of international relations all those powers which, by general international usage, sovereign and independent States are conceded to possess, and that, among such conceded powers is that of parting with, as well as acquiring, political jurisdiction over territory."¹⁶¹

ECONOMIC AND POLITICAL DANGERS

In the second place, independence is opposed on the ground that it would be harmful to the Filipino people. The Filipino people, it is urged, lack a common language and religion—there is a wide gulf between the non-Christian and Christian peoples. They are said also to lack the educational basis for self-government. Less than half of the people are literate: the newspaper-reading public, upon whom the formation of an

intelligent public opinion supposedly depends, is about 165,000 out of a literate population of about 6,000,000.¹⁶² The Filipinos are also lacking, it is declared, in administrative experience. As proof of this contention, the alleged inefficiency of the Filipinization period and the recent scandals in government bureaus are cited.¹⁶³ It is also said that the Philippines do not have the financial resources necessary to maintain an independent government. The existing budget is not large enough to maintain an army; navy and diplomatic service, which independence would supposedly require.¹⁶⁴ Independence would probably mean a depreciation of the Philippine currency and a deterioration in public works, education, public health, and other activities of benefit to the people. Mr. Carmi Thompson reported to President Coolidge in 1926 that immediate independence might result in the establishment of an oligarchy or in splitting the Islands "into warring factions led by chieftains of the various language groups." In an article in the *Saturday Evening Post*, written before becoming Governor-General, Mr. Henry L. Stimson declared that independence would mean "political domination over the main population of the Islands by an oligarchy of more politically competent Mestizos."¹⁶⁵ He also declared that independence would mean "an eventual foreign submersion and control by the more powerful races in the neighborhood."¹⁶⁶ Apparently he had in mind the difficulty of controlling Chinese immigration and the fear that the resources of the Islands would pass to Chinese and Japanese immigrants.¹⁶⁷ This might be followed by the loss of political independence. Others fear that independence will mean an increase in the exploitation of tenant farmers by Filipino landlords, through the institution of peonage and otherwise.¹⁶⁸

Finally, it is urged that independence would be financially and economically harm-

157. For Judge Williams' brief, cf. "Independence for the Philippine Islands," *Hearings*, p. 44-56. Cf. also "Is Congress Empowered to Alienate Sovereignty of the United States?" *Virginia Law Review*, November 1925.

158. W. W. Willoughby, *The Constitutional Law of the United States* (2nd ed., New York, Baker, Voorhis, 1910), Vol. I, p. 572.

159. "Philippine Local Autonomy," *House Hearings*, 1924, Opinion of Assistant Attorney General Ottinger, p. 57.

160. Malcolm, *The Constitutional Laws of the Philippine Islands* (2nd ed., Boston, Lawyers Co-operative Publishing Co., 1926), p. 173.

161. Professor Willoughby adds that the "determination of the status of another Government or the sovereign or non-sovereign character of another State is a 'political question' the final and conclusive determination of which resides in the so-called political department of our Government. . . . It may be assumed, therefore, that, should Congress and the President, by joint resolution or otherwise, recognize the sovereignty and independence of the Philippine Islands, the court would accept that as a fact and would not assume jurisdiction to examine into, the constitutionality of the processes or determination, executive or legislative, by means of which that status was created or recognized." (*The Constitutional Law of the United States*, cited, Vol. I, p. 425.)

162. *Statistical Bulletin of the Philippine Islands, 1928*, p. 15. In 1924 the number of newspaper readers was 108,000.

163. Cf. p. 71.

164. For the possible increase in revenue, cf. p. 50.

165. Persons of mixed Chinese and Filipino blood.

166. "First-Hand Impressions of the Philippine Problem," *Saturday Evening Post*, 1927, reprint.

167. Although some concern has been expressed at the acquisition of certain land in the Philippines by Japanese, Filipino leaders point out that, apparently for climatic reasons, the Japanese have never attempted to emigrate to the Islands in large numbers, as have the Chinese. ("Philippine Independence," *Hearings*, 1924, p. 9.)

168. Cf. p. 52.

ful to the Filipino people, since a free American market would be closed to them. Mr. Carmi Thompson states that independence would mean "economic disaster"; Mr. Stimson declares independence would mean "almost total collapse of the sugar, tobacco, coconut oil, embroidery and other principal commerce of the Islands."

It has been estimated that the annual monetary value of the privileges received by the Philippines from the United States is \$71,000,000.¹⁶⁹ All these privileges, it is urged, the Philippines would lose upon becoming independent.

AMERICAN INTERESTS INVOLVED

Independence, it is declared would also be harmful to the commercial and political interests of the United States. Senator Hiram Bingham has asked: "Do you think that the American people would have paid \$20,000,000 for something that they knew they were going to give up in such a short time? Is that the way we do things?"¹⁷⁰ Moreover, it is declared that American business men and investors have gone to the Islands and built up a profitable trade upon the assumption that the Philippines would remain indefinitely under the American flag. The establishment of a tariff against American goods, which would follow upon the granting of independence, would interfere with this trade. In view of the doubtful stability of a purely Filipino government, independence would impair the value of commercial investments. Moreover, Philippine government bonds, which are practically all held

by American investors, would, it is argued, immediately depreciate in value following independence. "This would constitute a species of moral repudiation both undignified and dishonorable."¹⁷¹ Many American business firms have protested against immediate independence for the Philippines.¹⁷²

From the standpoint of national interests, Mr. Carmi Thompson states: "We need the Philippines as a commercial base, and the retention of the Philippines will otherwise be of great benefit to our eastern situation."¹⁷³ Admiral Hilary Jones has declared, "The Navy considers that we must possess bases in the Philippines. They are vital to our operations in the western Pacific—so vital that I consider their abandonment tantamount to abandonment of our ability to protect our interests in the Far East."¹⁷⁴

INTERNATIONAL DANGERS

A fourth argument against independence is the opinion that it would finally be harmful from the international standpoint. It would stimulate the desire for freedom in India, French Indo-China, the Dutch East Indies, Formosa and Korea, where seditious or revolutionary movements are already smouldering. If all these countries should secure their freedom, widespread civil war would be bound to result; foreign intervention would become inevitable, naval reduction impossible and the *status quo* in the Orient today would be upset—with disastrous results to world peace and international goodwill.¹⁷⁵

169. Tariff privileges are valued at \$25,000,000 to \$45,000,000; the cost of the Philippine Scouts, \$2,000,000; army and navy expenditure, \$10,000,000; civilian Filipinos employed by the United States, \$2,200,000; earnings of Filipinos in the United States and Hawaii, \$5,600,000; proceeds from U. S. internal revenue, \$700,000; value of exemptions from U. S. internal revenue, \$1,500,000; value of exemption of bonds from income tax, \$300,000; value of implied guarantee of bonds, \$3,000,000; miscellaneous, \$700,000. (R. S. Tucker, "A Balance Sheet of the Philippines," cited, p. 23.)

170. "Independence for the Philippine Islands," *Hearings*, cited, p. 75.

171. *The Philippine Question*, Philippine-American Chamber of Commerce. With a view to meeting this situation, the King bill provides, "The Philippine government will make adequate provision for the necessary funds for the payment of interest and principal (of bonds issued under the authority of the United States) and such obligations should be a first lien on the taxes collected in the Philippine Islands."

172. "Independence for the Philippines," *Hearings*, cited, p. 63 ff.

173. "Conditions in the Philippine Islands," cited, p. 3.

174. "Philippine Independence," *Hearings*, 1924, p. 98.

175. Nicholas Roosevelt, "Philippine Independence and Peace in the Pacific," *Foreign Affairs*, April 1930. For the answer made to this argument, cf. p. 76.